

**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH**

Crl. Misc. M-49621-2017 (O&M)
Date of Decision: 18.08.2018

Pargat Singh

...Petitioner(s)

Versus

State of Haryana and another

...Respondent(s)

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Arpandeeep Narula, Advocate
for the petitioner(s).

Ms. Gaganpreet Kaur, AAG, Haryana.

Mr. Rajnish K.Gupta, Advocate
for respondent No.2.

JAISHREE THAKUR, J. (Oral)

This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No. 166 dated 27.05.2016 registered under Sections 506 of IPC and Section 10 of the POCSO Act, (Subsequently added on Section 354-D, 306, 511 of IPC, (thereafter charges framed only under Section 354-D, 506 of IPC and Section 12 of the POCSO Act) at Police Station Rania, Sirsa (Annexure P/ 1) and all subsequent proceedings arising therefrom in view of the compromise (Annexure P/ 2).

The FIR has been registered on the statement of complainant- Manjeet Singh, father of Navjotpreet Kaur, on the allegations that the accused-petitioner tried to outrage the modesty of his daughter and threatened her to kill her, pursuant to which she hanged herself and since

last so many months, she is in *coma*. Now with the intervention of respectable persons, the matter has been amicably compromised between the parties and they have resolved their disputes and differences.

Keeping in view the fact that the parties have entered into a compromise, they were directed to appear before the trial court/Illaq Magistrate for getting their statements recorded in support of the compromise. In pursuance of the direction, a report has been received from Addl. District and Sessions Judge, Sirsa, stating that the compromise arrived at between the parties is without any pressure or coercion from any one and the same is genuine one.

Learned Asst. Advocate General, Haryana, on instructions from the Investigating Officer and learned counsel for the complainant-respondent No.2 admit the factum of compromise and submit that in case the parties have indeed settled their dispute, the State would have no objection to the quashing of the FIR, in view of the law laid down by the Hon'ble Supreme Court.

I have heard learned counsel for the parties and have gone through the record.

In a decision, based on compromise, none of the parties is a loser. Rather, a compromise not only brings peace and harmony between the parties to a dispute, but also restores tranquility in the society. After considering the nature of offences allegedly committed and the fact that both the parties have amicably settled their dispute, continuance of criminal prosecution would be an exercise in futility, as the chances of ultimate conviction are bleak.

Consequently, keeping in view the fact that the dispute has been amicably settled and in view of the law laid down by the Hon'ble Supreme Court in **Narinder Singh and others vs. State of Punjab and another, (2014) 6 SCC 466**, this petition is allowed and FIR No. 166 dated 27.05.2016 registered under Sections 506 of IPC and Section 10 of the POCSO Act, (Subsequently added on Section 354-D, 306, 511 of IPC, (thereafter charges framed only under Section 354-D, 506 of IPC and Section 12 of the POCSO Act) at Police Station Rania, Sirsa (Annexure P/ 1) and all subsequent proceedings arising out of the same are quashed qua the petitioner.

The petition stands disposed of.

August 18, 2018

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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No