

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

**CRM-M-6056-2018
Date of decision: 01.05.2018**

Sukhbir Singh @ Sukha and others

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Arpan Sabharwal, Advocate
for the petitioners.

Mr. A. S. Sandhu, Addl. A.G., Punjab.

Complainant in person.

JAISHREE THAKUR, J. (Oral)

This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No. 66 dated 16.09.2015, registered under Sections 354, 341 and 34 of the Indian Penal Code at Police Station Dhilwan, District Kapurthala and all subsequent proceedings arising therefrom in view of the compromise entered into between the parties.

The aforesaid FIR was registered on the statement of the complainant/respondent No. 2 with the allegations that on 14.05.2015 at about 08:45 AM, she left her house on bicycle to buy some flour from the market and was going towards village Gudani, however, on the way, the petitioners herein came on a scooter and stopped and misbehaved with her. However, now with the intervention of respectable persons, the dispute has been amicably settled between the parties and they have entered into a

compromise.

Notice of the petition was issued and appearance has been caused on behalf of the respondent-State. The complainant/respondent No. 2 is also present in Court. She admits to the factum of compromise entered into between the parties. On the asking of the Court as to whether the complainant is in a position to travel to trial Court/Illaq Magistrate to have her statement recorded regarding the genuineness of the compromise, she has expressed her inability to do so on account of the fact that she is now married and it may cause problems within her matrimonial home.

In view of above, this Court deems it appropriate to record the statement of the complainant today itself in this very Court regarding genuineness of the compromise.

Accordingly, a separate statement of the complainant has been recorded wherein she stated that she has compromised the matter with the accused persons voluntarily and without any coercion and that she has no objection in case the instant FIR is quashed. She has also admitted to filing of an affidavit to this Court in this regard. The complainant has been identified through her Aadhar Card and a self attested copy of the same has also been retained on the case file.

Mr. A. S. Sandhu, Addl. A. G., Punjab, on instructions from the Investigating Officer, admits to the factum of compromise and submits 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 rival parties and 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 & others vs. State of Punjab & another, (2014) 6 SCC 466*, this petition is allowed and FIR No. 66 dated 16.09.2015, registered under Sections 354, 341 and 34 of the Indian Penal Code at Police Station Dhilwan, District Kapurthala and all subsequent proceedings arising out of the same are quashed qua the petitioners herein.

The petition stands disposed of.

01.05.2018

Waseem Ansari

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No