

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-17230 of 2019

.....

Date of decision:23.05.2019

Lakhveer Kaur and others

.....Petitioners

v.

State of Punjab and another

.....Respondents

.....

Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. Ishan Gupta, Advocate for the petitioners.

Ms. Monika Jalota, Deputy Advocate General, Punjab for the
respondent-State.

Mr. Daman Jeet, Advocate for complainant-respondent No.2.

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Inderjit Singh, J.

This petition has been filed under Section 482 Cr.P.C. praying for quashing of FIR No.140 dated 5.10.2018 (Annexure-P.2) registered for the offences under Section 420 IPC and (Section 406 IPC, which was added later on) at Police Station Dayalpura, Bathinda and all subsequent proceedings arising therefrom in view of the compromise (Annexure-P.1) arrived at between the parties at Mediation and Conciliation Centre of this High Court.

The FIR has been registered on the statement of complainant-
Jaspreet Singh on the allegations that the accused-petitioners have cheated

him. Now with the intervention of respectable persons, the matter has been amicably settled and compromise has been entered into between the parties, therefore, they were directed to appear before learned trial Court for getting their statements recorded in support of the compromise. After doing the needful, learned Judicial Magistrate Ist Class, Phul has sent report dated 2.5.2019 submitting that the compromise arrived at between the parties is without any pressure or coercion from any one and the same is genuine one.

Learned Deputy Advocate General, Punjab on instructions from the Investigating Officer and learned counsel for 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 as well as learned State counsel and have gone through the record.

In a decision, based on compromise, none of the parties is a loser. Rather, 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.

Therefore, keeping in view the fact that the matter has been amicably settled and in view of the law laid by the Hon'ble Supreme Court

in Gian Singh v. State of Punjab and another, 2012 (4) RCR (Cr.) 543, this

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petition is allowed and FIR No.140 dated 5.10.2018 (Annexure-P.2) registered for the offences under Section 420 IPC and (Section 406 IPC, which was added later on) at Police Station Dayalpura, Bathinda and all subsequent proceedings arising out of the same are hereby quashed qua the petitioners.

May 23, 2019.

(Inderjit Singh)
Judge

hsp

NOTE:	Whether speaking/reasoned:	Yes
	Whether reportable:	No