

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

CRM-M No.843 of 2020

Date of Decision:16.03.2020

Sukhwinder Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Ms. Nidhi Bansal, Advocate for
Mr. Madhur Sharma, Advocate
for the petitioner.

Mr. Davinder Bir Singh, DAG, Punjab.

Mr. Brij Bhushan Sharma, Advocate
for respondents No.2 to 4.

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JAISHREE THAKUR, J. (ORAL)

1. This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No.173 dated 14.11.2019 registered under Sections 323, 324 and 354 Indian Penal Code at Police Station Sadar, Ludhiana (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 15.12.2019 (Annexure P-2).

2. The FIR has been registered on the statement of complainant-respondent No.2 against the petitioner levelling allegations of manhandling and causing injuries. Now with the intervention of respectable persons, the matter has been amicably compromised between the parties and they have resolved their disputes and differences.

3. 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 Judicial Magistrate 1st Class, Ludhiana stating that the compromise arrived at between the parties is without any pressure or coercion from any one and the same is genuine one.

4. Learned Deputy Advocate General, Punjab on instructions from the Investigating Officer and Mr. Brij Bhushan Sharma, learned counsel appearing for respondents No.2 to 4 admit the factum of compromise and the counsel appearing for the respondent-State 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.

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

6. 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.

7. 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.173 dated 14.11.2019 registered under Sections 323, 324 and 354 Indian Penal Code at Police Station Sadar, Ludhiana (Annexure P-1) and all subsequent proceedings arising out of the same are quashed qua petitioner.

(JAISHREE THAKUR)
JUDGE

March 16, 2020
Pankaj*

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No