

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.867 of 2020

Date of Decision:16.03.2020

Geeta Rani and others

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Brij Bhushan Sharma, Advocate
for the petitioners.

Mr. Davinder Bir Singh, DAG, Punjab.

Ms. Nidhi Bansal, Advocate for
Mr. Madhur 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 DDR No.032 dated 15.11.2019 registered under Sections 323, 452 and 34 IPC being a cross case in 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 DDR has been registered on the statement of complainant-respondent No.2 against the petitioners levelling allegations of trespassing, 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 Ms. Nidhi Bansal for Mr. Madhur 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 DDR, 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 DDR No.032 dated 15.11.2019 registered under Sections 323, 452 and 34 IPC being a cross case in 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