

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

Crl. Misc. M- 4072-2019 (O&M)
Date of Decision: February 19, 2020

Jatinder Kumar @ Jaggu

... Petitioner

Versus

State of Punjab and another

... Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Navjot Singh, Advocate
for the petitioner.

Mr. Davinder Bir Singh, DAG, Punjab.

Mr. Ruhani Chadha, 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. 59 dated 08.03.2018 registered under Sections 363, 366-A Indian Penal Code at Police Station Sadar, Phagwara, District Kapurthala (Annexure P/1) and all subsequent proceedings arising therefrom.

The FIR has been registered on the statement of complainant- on the allegations that the petitioner herein had abducted his daughter when she was out of the house. 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 JMIC Phagwara, stating that the compromise arrived at between the complainant and his wife and the father of the present petitioner is without any pressure or coercion from any one and the same is genuine one. It is also stated that the accused petitioner who is abroad has got his statement through video-conferencing that the compromise between the parties is genuine.

Learned Deputy Advocate General, Punjab, on instructions from the Investigating Officer 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. Learned counsel for the complainant-respondent No.2 admits the factum of compromise.

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 59 dated 08.03.2018 registered under Sections 363, 366-A Indian Penal Code at Police Station Sadar, Phagwara, District Kapurthala (Annexure P/1) and all subsequent proceedings arising out of the same are quashed qua the petitioner.

February 19, 2020
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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	Yes/No