

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

CRM-M-13899 of 2017 (O&M)
Date of Decision: January 06, 2020

Rashmi Negi

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Sanjeev Kodan, Advocate
for the petitioner.

Mr. Sidakmeet Singh Sandhu, AAG Punjab.

JAISHREE THAKUR, J. (Oral)

This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No.135 dated 02.09.2014 registered under Sections 452, 342, 323, 354, 506, 120-B of Indian Penal Code and Section 25/27/54/59 of Arms Act at Police Station Mataur, Mohali (Annexure P/1) and all subsequent proceedings arising therefrom in view of the compromise (Annexure P/2) against one of the accused namely Rashmi Negi, the petitioner.

Counsel for the petitioner herein contends that the matter qua Rashmi Negi, the petitioner herein stands compromised with Kricpy Khera, the complainant. It is submitted that an affidavit has been furnished by Kricpy Khera, the complainant that name of Rashmi Negi, the petitioner herein has been got registered due to misconception.

The FIR has been registered on the statement of complainant-Kricpy Khera. Now, the matter has been amicably compromised between the petitioner-accused and the complainant 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 Judicial Magistrate First Class at Mohali, stating that the compromise arrived at between the parties is without any pressure or coercion from any one and the same is genuine one.

Learned State counsel, on instructions from the Investigating Officer, admits to the factum of compromise and submits that as on date, no challan has been presented against Rashmi Negi, the petitioner and there is no direct allegation against her under the Arms Act.

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 FIR No.135 dated 02.09.2014 registered under Sections 452, 342, 323, 354, 506, 120-B of Indian Penal Code and Section 25/27/54/59 of Arms Act at Police Station Mataur, Mohali and all subsequent proceedings arising out of the same are quashed qua Rashmi Negi, the petitioner herein only.

The petition stands disposed of.

January 06, 2020
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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No