

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

Crl. Misc. M 22239 of 2019 (O&M)
Date of decision: 18.2.2020

Aryan and another

...Petitioners

Versus

U.T., Chandigarh and others

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Ms. Aashna Gill, Advocate
for the petitioners.

Mr. J.S. Toor, APP, U.T., Chandigarh.

Mr. Ajay Kripal Singh, Advocate, for
Mr. Mayur Karkra, Advocate,
for respondent No.2.

JAISHREE THAKUR, J. (Oral)

This petition has been filed under Section 482 of the Code of Criminal Procedure seeking for quashing of FIR No. 144 dated 25.7.2017 (Annexure P/1) registered under Sections 323, 341, 354D, 506 IPC and Sections 12 of POCSO Act at Police Station Maloya, Chandigarh, and all subsequent proceedings arising therefrom in view of the compromise (Annexure P/2).

The complainant had alleged the accused persons used to stop her way while going to tuition and also used to blackmail her and threatened her that in case she disclosed about these incidents to anyone, then they shall harm her family members. However, now with the intervention of respectable persons, the dispute has been amicably settled between the

parties and they have entered into a compromise.

Keeping in view the fact that the parties have entered into a compromise, they were directed to appear before learned trial court for getting their statements recorded in support of the compromise. In pursuance of the direction, a report has been received from the Judicial Magistrate Ist Class, Chandigarh, 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 Additional Public Prosecutor, on instructions from the Investigating Officer and learned counsel for the 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 and have also 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 dispute has been

amicably settled and in view of the law laid 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. 144 dated 25.7.2017 (Annexure P/1) registered under Sections 323, 341, 354D, 506 IPC and Sections 12 of POCSO Act at Police Station Maloya, Chandigarh and all subsequent proceedings arising out of the same are quashed.

The petition stands disposed of.

18.2.2020
prem

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No