

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

CRM-M-23668-2020 (O&M)

Date of Decision: October 26, 2020

Amrit Pal Arora

... Petitioner

Versus

State of Punjab and another

... Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. M.K. Singla, Advocate
for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

Mr. Dinesh Kumar, 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. 126 dated 09.08.2020 under Sections 295-A IPC and 66 Information Technology Act registered at Police Station Jaito, District Faridkot and all subsequent proceedings arising therefrom in view of the compromise i.e. Annexure P-2.

The FIR has been registered on the statement of complainant -respondent No.2 that the petitioner not only used abusive language against Hindu faith rather also uploaded posts against Hindu Religion on Facebook and hurt religious feelings of the followers of Hindu Religion. 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 the Sub Divisional Judicial Magistrate, Jaitu 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 and learned counsel for respondent No.2 admit the factum of compromise and submit that in case the parties have indeed settled their dispute, they 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 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. 126 dated 09.08.2020 under Sections 295-A IPC and 66 Information Technology Act registered at Police Station Jaito, District Faridkot and all subsequent proceedings arising out of the same are quashed qua the petitioner herein.

October 26, 2020 <i>seema</i>	(JAISHREE THAKUR) JUDGE
Whether speaking/reasoned	Yes
Whether reportable	Yes/No