

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

CRM-M-26229-2020 (O&M)

Date of Decision: October 30, 2020

Joney Sharma and others

... Petitioners

Versus

State of Punjab and others

... Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Suresh Kumar Kaushik, Advocate
for the petitioners.

Ms. Rashmi Attri, AAG, Punjab.

Mr. Dharam Veer Sharma, Advocate
for respondent Nos.2 to 5.

JAISHREE THAKUR, J. (Oral)

This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No. 105 dated 21.07.2020 under Sections 458, 323, 149 & 509 of IPC registered at Police Station Longowal, District Sangrur and all subsequent proceedings arising therefrom in view of the compromise.

The FIR has been registered on the statement of complainant -respondent No.2 that the accused-petitioners gave beatings to the daughter and son of respondent No.2 and other family members and also tried to kidnap her daughter. 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 Judicial Magistrate Ist Class, Sangrur 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 Nos.2 to 5 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. 105 dated 21.07.2020 under Sections 458, 323, 149 & 509 of IPC registered at Police Station Longowal, District Sangrur and all subsequent proceedings arising out of the same are quashed qua the petitioners herein.

October 30, 2020 <i>seema</i>	(JAISHREE THAKUR) JUDGE
Whether speaking/reasoned	Yes
Whether reportable	Yes/No