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

CRM-M No.28562 of 2020 (O&M)
Date of Decision.27.10.2020
(Heard through VC)

Yogesh Bakshi ...Petitioner

Vs

State of Punjab and another ...Respondents

CORAM:HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Ashish Soi, Advocate
for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

Mr. Satish Kumar Sharma Advocate
for respondent No.2-complainant.

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JAISHREE THAKUR J. (ORAL)

1. This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No.235 dated 26.07.2020 registered under Sections 451, 323, 341, 506, 34 IPC at Police Station Haibowal, District Ludhiana (Annexure P-1) and all other consequential proceedings arising therefrom in view of the compromise dated 09.08.2020 (Annexure P-2).

2. The FIR has been registered on the statement of complainant on the allegations that the accused-petitoiner forcefully entered into his shop and cuased injuries with sharp edged weapon. Now with the intervention of respectable persons, the matter has been amicably compromised between the parties and they have resolved their disputes and differences.

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3. Keeping in view the fact that the parties have entered into a compromise, they were directed to appear before the trial court/Illaqa Magistrate for getting their statements recorded in support of the compromise. In pursuance of the direction, a report has been received from Judicial Magistrate 1st Class, Ludhiana stating that the compromise arrived at between the parties is without any pressure or coercion from any one and the same is genuine one.

4. Learned Deputy Advocate General, Punjab on instructions from the Investigating Officer and Mr. Satish Kumar Sharma, Advocate for the complainant admit the factum of compromise and the counsel for the respondent-State 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.

5. I have heard learned counsel for the parties and have gone through the record.

6. 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.

7. 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.235 dated 26.07.2020 registered under Sections 451, 323, 341, 506, 34 IPC at Police Station

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Haibowal, District Ludhiana (Annexure P-1) and all subsequent proceedings arising out of the same are quashed qua petitioner.

(JAISHREE THAKUR)
JUDGE

October 27, 2020
Pankaj*

Whether speaking/reasoned Yes/No
Whether reportable Yes/No

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