

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

Crl. Misc. M 36984 of 2019 (O&M)
Date of decision: 15.1.2020

Pawan Garg

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Ashok Paul Batra, 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 for quashing of FIR No. 106 dated 7.11.2015 (Annexure P/1) registered under Sections 336 and 509 IPC at Police Station Division No.3, District Ludhiana, and all subsequent proceedings arising therefrom in view of the compromise.

The FIR has been registered on the statement of complainant—Tara Devi, on the allegations that the accused-petitioner had abused the complainant and fired in the air. 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 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, 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.

Learned Deputy Advocate General, Punjab, on instructions from the Investigating Officer admits 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 the 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. 106 dated 7.11.2015 (Annexure P/1) registered under Sections 336 and 509 IPC at Police Station Division No.3, District Ludhiana, and all subsequent proceedings arising out

of the same are quashed.

The petition stands disposed of.

15.1.2020
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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No