

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

Crl. Misc. M-41317 of 2019 (O&M)

Date of Decision: February 17, 2020

Sandeep Kumar

...Petitioner

Versus

State of Punjab and another

...Respondent(s)

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. B.S. Bali, Advocate
for the petitioner.

Mr. Sidakmeet Singh Sandhu, AAG, Punjab

Mr. Harjinder Singh, 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. 215 dated 10.09.2010 registered under Sections 323, 341, 354 and 149 of Indian Penal Code at Police Station Basti Jodhewal, District Ludhiana (Annexure P/1) and all subsequent proceedings arising therefrom in view of the compromise dated 17.09.2019 (Annexure P/2).

The FIR has been registered on the statement of complainant/respondent No.2 on the allegations that the accused-petitioner had beaten up the respondent No.2, her husband and her daughter with hockey sticks and baseball bat. 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 Judicial Magistrate Ist Class at 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 Assistant Advocate General, Punjab, on instructions from the Investigating Officer 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 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. 215 dated 10.09.2010 registered under Sections 323, 341, 354 and 149 of Indian Penal

Code at Police Station Basti Jodhewal, District Ludhiana and all subsequent proceedings arising out of the same are quashed qua the petitioner.

February 17, 2020

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(JAISHREE THAKUR)

JUDGE

Whether speaking/reasoned

Whether reportable

Yes

Yes/No