

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

266

CRM-M-44538 of 2019

Date of decision: 06.03.2020

Balwinder Singh and Others

...Petitioners

Vs.

State of Punjab and Others

...Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Rishu Mahajan, Advocate
for the petitioners.

Mr. Davinder Bir Singh, DAG, Punjab.

Mr. Amandeep Chhabra, Advocate
for respondents No. 2 to 4.

JAISHREE THAKUR, J.(ORAL)

This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No.110 dated 05.10.2018 registered under Sections 354, 323 and 34 of IPC at Police Station Gharinda, District Amritsar (Annexure P/1) and all subsequent proceedings arising therefrom in view of the compromise dated 15.09.2019 (Annexure P/2).

The FIR has been registered on the statement of complainant respondent No.2 on the allegations that the accused-petitioners gave beatings to respondent No.2 and 3 with sticks and lathis, besides outraging her modesty.

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 Chief Judicial Magistrate at Amritsar, stating that the compromise arrived at between the parties is without any kind of threat, fear or pressure and the same is genuine one.

Learned Deputy Advocate General, Punjab, on instructions from the Investigating Officer admits the factum of compromise and 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.

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.110 dated 05.10.2018 registered under Sections 354, 323 and 34 of IPC at Police Station Gharinda, District Amritsar and all subsequent proceedings arising out of the same are quashed.

March 06, 2020
Poonam Sharma

(JAISHREE THAKUR)
JUDGE

Whether reasoned/speaking?	Yes/No
Whether Reportable	Yes/No