

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

Crl. Misc. M- 46431-2019 (O&M)

Date of Decision: February 19, 2020

Pawan Kumar Malhotra and others

... Petitioners

Versus

State of Punjab and others

... Respondents

**CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR**

Present:- Mr. Jasraj Singh, Advocate  
for the petitioners.

Mr. Davinder Bir Singh, DAG, Punjab.

Mr. Bhanu Partap Singh, Advocate  
for respondents No. 2 and 3.

**JAISHREE THAKUR, J. (Oral)**

This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No. 48 dated 18.02.2019 registered under Sections 452, 354, 506, 148 and 149 Indian Penal Code at Police Station Division No. 5, Ludhiana (Annexure P/1) and all subsequent proceedings arising therefrom in view of the compromise.

The FIR has been registered on the statement of complainant-on the allegations that the accused-petitioners telephonically abused him and they forcibly entered the house of his daughter-in-law Arti Kapur with a revolver and some sharp-edged weapons and abused her and mishandled her . 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 Addl. Chief Judicial Magistrate 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 Deputy Advocate General, Punjab, on instructions from the Investigating Officer 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. 48 dated

18.02.2019 registered under Sections 452, 354, 506, 148 and 149 Indian Penal Code at Police Station Division No. 5, Ludhiana and all subsequent proceedings arising out of the same are quashed qua the petitioners

February 19, 2020

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(JAISHREE THAKUR)

JUDGE

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|---------------------------|--------|
| Whether speaking/reasoned | Yes    |
| Whether reportable        | Yes/No |