

CRM-23301 of 2021 in/and
CRM-M-1111-2020 (O&M)
Date of decision:- 06.08.2021

Amarjit Singh and another.

---Petitioners.

Versus

The State of Punjab and another

---Respondents.

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Simranjeet Singh Sarwara, Advocate,
for the applicants/ petitioners.

Ms. Rashmit Attri, AAG, Punjab.

Mr. S. P.S. Chakkal, Advocate,
for respondent No. 2.

JAISHREE THAKUR J. (Oral)

CRM-23301 of 2021

Prayer in the present application is for preponing the date of hearing of the main case fixed for hearing on 26.10.2021.

The application is allowed and the main case is taken up for hearing today.

Main Case

1. This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No.190 dated 19.12.2019 registered under Section 406, 498-A of IPC at Police Station Chamkaur Sahib, District Roop Nagar (Annexure P-1) and all subsequent proceedings arising therefrom in view of the compromise dated 03.01.2020 (Annexure P-2).

2. Learned counsel for the petitioner states that the matter has been amicably compromised between the parties and they have resolved their disputes and differences.

3. 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, Rupnagar 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 Assistant Advocate General, Punjab on instructions from the Investigating Officer and learned counsel for the complainant-respondent No.2 admit the factum of compromise and counsel for the respondent-State would 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.

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.190 dated 19.12.2019 registered under Section 406, 498-A of IPC at Police Station Chamkaur Sahib, District Roop Nagar (Annexure P-1) and all subsequent proceedings arising out of the same are quashed qua petitioners.

06.08.2021
Riya Grover

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No