

115.

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

**CRM-41109-2021 IN/AND
CRM-M-1361-2020**

Date of Decision: 10.12.2021

RAKESH SINGLA

.... Petitioner

Versus

STATE OF PUNJAB AND OTHERS

.... Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. S.K. Jain, Advocate,
for the petitioner.

Mr. A.S. Dhaliwal, DAG, Punjab.

Mr. Vikas Mehra, Advocate, for
Mr. Paras Sharma, Advocate,
for respondents No.2 and 3.

JAISHREE THAKUR.J (Oral)

CRM-41109-2021

Prayer in this application filed under Section 482 Cr.P.C. is for preponing the main petition to an early date, which is otherwise listed for hearing on 25.01.2022.

For the reasons mentioned in the application, same is allowed and the main petition is preponed and taken up for hearing today itself.

CRM-M-1361-2020

This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No.100, dated 18.06.2019,

registered under Sections 408, 420, 477-A and 120-B of IPC at Police Station Sadar Nabha, District Patiala (Annexure P-1) and all consequential proceedings arising therefrom on the basis of compromise dated 09.11.2019 (Annexure P-2).

The aforesaid FIR has been registered on the statement of complainant/respondent No.3-Rakesh Kumar Gaba. 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 the learned Judicial Magistrate Ist Class, Nabha stating that the compromise is genuine and has been effected between the parties voluntarily and out of their free will.

Learned counsel appearing on behalf of respondent-State on instructions from the Investigating Officer and learned counsel for the respondents No.2 & 3 admit the factum of compromise. Learned State counsel 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.

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.100, dated 18.06.2019, registered under Sections 408, 420, 477-A and 120-B of IPC at Police Station Sadar Nabha, District Patiala (Annexure P-1) and all consequential proceedings arising therefrom, are quashed qua petitioner on the basis of compromise dated 09.11.2019 (Annexure P-2).

(JAISHREE THAKUR)
JUDGE

10.12.2021

sanjeev

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No