

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

CRM-M-5310-2021 (O&M)

Date of Decision: 27.04.2021

(Heard through VC)

Sarabjit Singh and others

... Petitioners

Versus

State of Punjab and another

... Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Amit Arora, Advocate
for the petitioners.

Ms. Rashmi Attri, AAG, Punjab.

Mr. Jagjit 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. 132 dated 16.11.2017 under Sections 341, 506, 120-B IPC and Section 3(1) (5) of Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989 registered at Police Station Chohla Sahib, District Tarn Taran and all subsequent proceedings arising therefrom in view of the compromise.

The FIR has been registered on the statement of complainant -respondent No.2 that the petitioners herein abused him and threatened him to kill. 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 Additional Sessions Judge, Tarn Taran 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 State counsel, on instructions from the Investigating Officer admits the factum of compromise and submits that in case the parties have indeed settled their dispute, they 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. 132 dated 16.11.2017 under Sections 341, 506, 120-B IPC and Section 3(1) (5) of Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989 registered at Police Station Chohla Sahib, District Tarn Taran and all subsequent proceedings arising out of the same are quashed qua the petitioners herein.

27.04.2021	(JAISHREE THAKUR)
seema	JUDGE
Whether speaking/reasoned	Yes
Whether reportable	Yes/No