

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

228

CRM-M No.5468 of 2021

Date of Decision: 09.04.2021

(Heard through VC)

Harish Kumar and others

...Petitioners

Vs.

State of Punjab and another

...Respondents

CORAM:HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. K.P. Singh, Advocate
for the petitioners.

Mr. H.S. Multani, AAG, Punjab.

Mr. Anmol Puri, Advocate
for respondent No.2-complainant.

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JAISHREE THAKUR J. (ORAL)

1. This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No.109 dated 26.11.2020 registered under Sections 323, 324, 148, 149 and 506 IPC (Sections 325 and 326 IPC added later on), at Police Station City Balachaur, District Shaheed Bhagat Singh Nagar (Annexure P-1) and all other consequential proceedings arising therefrom in view of compromise dated 25.01.2021 (Annexure P-2).

2. The FIR has been registered on the statement of complainant on account of some misunderstanding. Now with the intervention of respectable persons, 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 Sub Divisional Judicial Magistrate, Balachaur 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 Mr. Anmol Puri, Advocate for the complainant admit the factum of compromise and the counsel for the respondent-State 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.

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.109 dated 26.11.2020

registered under Sections 323, 324, 148, 149 and 506 IPC (Sections 325 and 326 IPC added later on), at Police Station City Balachaur, District Shaheed Bhagat Singh Nagar (Annexure P-1) and all subsequent proceedings arising out of the same are quashed qua petitioners.

09.04.2021

D.Bansal

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No