

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

204

CRM-M No.6472 of 2021

Date of Decision: 09.04.2021

(Heard through VC)

Gursewak Singh @ Sewak

...Petitioner

Vs.

State of Punjab and another

...Respondents

CORAM:HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. K.B.S. Mann, Advocate
for the petitioner.

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

Ms. Kuljinder Bir Kaur, 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.09 dated 28.01.2021 registered under Sections 354-D and 509 IPC at Police Station, Nandgarh, District Bathinda (Annexure P-1) and all other consequential proceedings arising therefrom in view of compromise dated 01.02.2021 (Annexure P-2).
2. The FIR has been registered on the statement of complainant on the allegations of following the complainant and used to give the vulgar gestures towards the complainant. 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 Judicial Magistrate Ist Class, Bathinda 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 Ms. Kuljinder Bir Kaur, 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.09 dated 28.01.2021

registered under Sections 354-D and 509 IPC at Police Station, Nandgarh, District Bathinda (Annexure P-1) and all subsequent proceedings arising out of the same are quashed qua petitioner.

09.04.2021
D.Bansal

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No