

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

203

CRM-M-7096-2019
WITH CRM-M-556-2021
Date of Decision: 25.08.2021
(Heard through VC)

SUNITA BHATIA AND ANR.

...Petitioners

Versus

STATE OF PUNJAB

...Respondent

GURSHARAN BHATIA AND ORS

.Petitioners

Versus

STATE OF PUNJAB AND ANR

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Ajay Kumar, Advocate
for Mr.Rishu Mahajan, Advocate
for the petitioner (in CRM-M-7096-2019).

Mr. Jaiteshwar Singh, Advocate
for the petitioner (in CRM-M-556-2021).

Ms. Rashmi Attri, A.A.G., Punjab.

Mr. Arpan Sabharwal, Advocate
for the complainant-respondent No.2.

JAISHREE THAKUR, J. (Oral)

By this common order, this Court proposes to dispose of two
petitions i.e., CRM-M-7096-2019 and CRM-M-556-2021. CRM-M-7096-
2019 has been filed for grant of anticipatory bail to the petitioners therein
whereas CRM-M-556-2021 has been filed for quashing of the FIR No.75

dated 20.12.2018 under Section 406 and 498-A IPC registered at Police Station Women (Commissionerate), District Jalandhar, based on the compromise arrived at between the parties on 11.12.2020 (Annexure P-2) pursuant to the orders passed by the Coordinate Bench of this Court in CRM-M-556-2021 in which the parties were directed to appear before the Illaqa Magistrate/trial Court on 19.01.2021 to get their statements recorded to the effect that the compromise has actually been arrived at between them.

The FIR has been registered on the statement of complainant/respondent No.2 . 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/Illaqa Magistrate for getting their statements recorded in support of the compromise. In pursuance of the direction, a report has been received in CRM-M-556-2021 from Judicial Magistrate Magistrate Ist Class, Jalandhar 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 Assistant Advocate General, Punjab on instructions from the Investigating Officer and learned counsel for the complainant/respondent No.2 in CRM-M-556-2021 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.

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, petition bearing No. CRM-M-556-2021 is allowed and FIR No.75 dated 20.12.2018 under Section 406 and 498-A IPC registered at Police Station Women (Commissionerate), District Jalandhar and all subsequent proceedings arising out of the same are quashed qua the petitioners.

Since the FIR itself is quashed , CRM-M-7096-2019 praying for anticipatory bail stands rendered infructuous and is disposed of accordingly.

(JAISHREE THAKUR)
JUDGE

25.08.2021
tarun

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No