

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

**CRM-M No.15052 of 2021(O&M)
Date of Decision:04.10.2021
(Heard through VC)**

Sunny and others

...Petitioners

Vs

State of Punjab and another

..Respondents

CORAM:HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Varun Goyal, Advocate
for the petitioners.

Mr. A.S. Gill, Sr. DAG, Punjab.

Mr. A.S. Mahi, Advocate
for respondent No.2.

JAISHREE THAKUR J. (ORAL)

CRM No.29866 of 2021

The instant application has been filed for preponing the hearing of the main case which is now fixed for 11.01.2022.

For the reasons mentioned in the application, the same is allowed and hearing of the main case is postponed and same is taken up for hearing today itself.

CRM-M No.15052 of 2021

1. This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No.4 dated 04.01.2021 registered under Sections 354, 452, 323 Indian Penal Code at Police Station Division No.1, District Jalandhar (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 08.03.2021 (Annexure P-

4).

2. The FIR has been registered on the statement of complainant on the allegations that accused-petitioners assaulted the complainant and her family members and torn off her clothes. 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 1st 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.

4. Learned Sr. Deputy Advocate General, Punjab on instructions from the Investigating Officer and learned counsel for the respondent No.2 admit the factum of compromise. Learned 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 of FIR No.4 dated 04.01.2021 registered under Sections 354, 452, 323 Indian Penal Code at Police Station Division No.1, District Jalandhar (Annexure P-1) and all subsequent proceedings arising out of the same are quashed qua petitioners.

(JAISHREE THAKUR)
JUDGE

October 04, 2021
P.Bhatt

Whether speaking/reasoned Yes/No

Whether reportable Yes/No