

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

CRM-M-15700-2021 (O&M)

Date of Decision: 17.08.2021

(Heard through V.C.)

Sukhchain Singh and others

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Vinod K. Kaushal, Advocate
for the petitioners.

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

Mr. Prashant Vashisht, Advocate
for respondents No.2 and 3.

JAISHREE THAKUR, J. (Oral)

1. This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No.53 dated 17.11.2016 under Sections 363 and 366 of IPC (Sections 342 and 376 of IPC and Section 6 of POCSO Act added later on) registered at Police Station Jhander, District Amritsar Rural and all subsequent proceedings arising therefrom in view of the compromise arrived at between the parties.

2. The aforesaid FIR has been registered on the statement of complainant on the allegation of enticing his daughter on the pretext of marriage. 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 Illaqa Magistrate for getting their statements recorded in support of the compromise. In pursuance of the direction, a report has been received from Principal Magistrate Juvenile Justice Board, Amritsar stating that the compromise arrived at between the parties is with their own free will and volition and without any undue influence, threat, coercion and pressure.

4. Learned Assistant Advocate General, Punjab on instructions from the Investigating Officer and learned counsel for the complainant/respondents No.2 and 3 admit the factum of compromise and the counsel for the respondent-State submits 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.53 dated 17.11.2016 under Sections 363 and 366 of IPC (Sections 342 and 376 of IPC and Section 6 of POCSO Act added later on) registered at Police Station Jhander, District Amritsar Rural and all subsequent proceedings arising out of the same are quashed *qua* petitioners.

17.08.2021
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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No