

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

**Criminal Misc. No. M-19199 of 2021
Date of Decision:-15.11.2021**

Harprabh Singh and another

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM:- HON'BLE MR. JUSTICE SANT PARKASH

Present:- Mr. Madan Sandhu, Advocate for
Mr. Dharam Bir Bhargav, Advocate
for the petitioners.

Mr. Sarabjeet Singh Cheema, AAG, Punjab.

None for respondent No.2.

SANT PARKASH J.(Oral)

This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No.158 dated 23.11.2019, under Sections 341, 323, 379, 34 IPC (Section 201 IPC added later on), registered at Police Station Mahilpur, District Hoshiarpur ((Annexure P/1) and all subsequent proceedings arising therefrom in view of the compromise (Annexure P/2).

The FIR has been registered on the statement of complainant-Sukhwinder Singh on the allegations that on 21.11.2019 when he was going from his house towards Paaldi Pump for getting petrol filled in his motor-

cycle, then in the way accused-petitioners stopped him and caused injuries. 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/Illaq Magistrate for getting their statements recorded in support of the compromise. In pursuance of the direction, a report has been received from the Judicial Magistrate 1st Class, Garhshankar, 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, admits the factum of compromise and 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.

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**, this petition is allowed and FIR No.158 dated 23.11.2019, under Sections 341, 323, 379, 34 IPC (Section 201 IPC added later on), registered at Police Station Mahilpur, District Hoshiarpur and all subsequent proceedings arising out of the same are quashed qua petitioners.

November 15, 2021
Vijay Asija

(**SANT PARKASH**)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No