

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

**CRM-M-19158 of 2021
Date of Decision:-15.11.2021**

Harpreet Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE SANT PARKASH

Present:- Mr. Madan Sandhu, Advocate
for the petitioner.

Mr. Sarabjeet Singh Cheema, AAG, Punjab.

Mr. Sarvjeet Singh Thakur, Advocate
for respondents No.2 and 3.

SANT PARKASH J.(Oral)

This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No.39 dated 06.2.2021, under Sections 279, 337 and 427 IPC, registered at Police Station Sadar Mansa, District Mansa (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- Musthak Ali on the allegations that the accused-petitioner while driving the car bearing Registration No.HR-51-W-5566 on high speed in zig zag manner, hit the motor-cycle bearing Registration No.PB-31R-2315, on

which he alongwith Anwar Khan was going from Mansa to Ralla and reached near Patakha factory of village Tamkot. 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 from Additional Chief Judicial Magistrate, Mansa, 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 respondents No.2 and 3 admit 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.39 dated 06.2.2021, under Sections 279, 337 and 427 IPC, registered at Police Station Sadar Mansa, District Mansa and all subsequent proceedings arising out of the same are quashed qua petitioner.

November 15, 2021
Vijay Asija

(**SANT PARKASH**)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No