

251.

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

CRM-M-20570-2021

Date of Decision: 08.09.2021

(Heard through VC)

VIKAS SHARMA

.... Petitioner

Versus

STATE OF PUNJAB AND ANOTHER

.... Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Sanjeet Singh Taank, Advocate, for
Mr. Jatinder Singh, Advocate,
for the petitioner.

Ms. Rashmi Attri, AAG, Punjab,
for respondent No.1-State.

Mr. Vinay Kumar, Advocate,
for respondent No.2-complainant.

JAISHREE THAKUR.J (Oral)

This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of DDR No.45, dated 10.03.2018, registered under Sections 323, 341, 506, 498-A, 34 of IPC, Police Station Zirakpur, District SAS Nagar, Mohali (Annexure P-1) in case FIR No.85, dated 10.03.2018, under Sections 323, 324, 341, 506, 34 of IPC, Police Station Zirakpur, District SAS Nagar, Mohali and all subsequent proceedings arising therefrom in view of the compromise dated 11.05.2021 (Annexure P-2).

The aforesaid DDR has been registered on the statement of complainant/respondent No.2-Mukta Sharma. 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 learned Judicial Magistrate Ist Class, Dera Bassi stating that the compromise is genuine and has been effected between the parties voluntarily, without any coercion or undue influence.

Learned State counsel on instructions from the Investigating Officer and learned counsel for the complainant-respondent No.2 admit the factum of compromise and submit that in case the parties have indeed settled their dispute, the State would have no objection to the quashing of the DDR, 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 DDR No.45, dated 10.03.2018, registered under Sections 323, 341, 506, 498-A, 34 of IPC, Police Station Zirakpur, District SAS Nagar, Mohali (Annexure P-1) in case FIR No.85, dated 10.03.2018, under Sections 323, 324, 341, 506, 34 of IPC, Police Station Zirakpur, District SAS Nagar, Mohali and all subsequent proceedings arising out of the same are quashed qua petitioner.

(JAISHREE THAKUR)
JUDGE

08.09.2021

sanjeev

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