

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

(251)

CRM-M-21470-2021

Date of Decision: 27.08.2021
(Heard through VC)

VIVEK BHOPAL

...Petitioner

Versus

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Munish Puri, Advocate
for the petitioner.

Ms. Rashmi Attri, AAG, Punjab.

Ms. Deepti Rampal, Advocate
for the complainant/respondent No.2.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 482 of Cr.P.C., for quashing of the FIR No. 55 dated 10.05.2021 under Sections 498-A, 406, 323 and 325 IPC registered at Police Station Sujanpur, District Pathankot.

The FIR has been registered on the statement of complainant. 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 Judicial Magistrate Ist Class, Pathankot 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 the complainant/respondent No.2 admit the factum of compromise and counsel for the respondent-State would submit 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. 55 dated 10.05.2021 under Sections 498-A, 406, 323 and 325 IPC registered at

Police Station Sujanpur, District Pathankot (Annexure P-1) and all subsequent proceedings arising out of the same are quashed qua the petitioner.

(JAISHREE THAKUR)
JUDGE

27.08.2021
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Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No