

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M- 25572-2021 (O&M)

Date of Decision: 06.09.2021

Simranjeet Singh and others

... Petitioners

VERSUS

State of Punjab and others

.... Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present Mr. H. S. Dhindsa, Advocate
for the petitioners.

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

Mr. Ramandeep Singh, Advocate
for respondent No. 2.

JAISHREE THAKUR, J. (Oral)

This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No. 159 dated 17.10.2020 under Section 306 IPC registered at Police Station Dakha, District Ludhiana Rural and all subsequent proceedings arising therefrom in view of the compromise.

Learned counsel for the petitioners would contend that the allegations under Section 306 IPC would not be made out as the deceased was residing in her parental home on the date when the incident took place. It is submitted that she had left her matrimonial home almost six months

prior to the said incident. Learned counsel would state that with the intervention of respectable persons, the matter has been amicably compromised between the parties and they have resolved their disputes and differences. It is submitted that the marriage was solemnized on 17.07.2018 and she died on 17.10.2020 in her parental home.

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 1st Class, Ludhiana 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 State counsel, 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. 159 dated 17.10.2020 under Section 306 IPC registered at Police Station Dakha, District Ludhiana Rural and all subsequent proceedings arising out of the same are quashed qua the petitioners herein.

06.09. 2021

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(JAISHREE THAKUR)

JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No