

243.

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

CRM-M-23381-2021

Date of Decision: 31.08.2021

(Heard through VC)

AHIVARAN SINGH

.... Petitioner

Versus

STATE OF PUNJAB AND ORS

.... Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Vijay Lath, Advocate, for the petitioner.

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

Mr. Surinder Sharma, Advocate, for respondents No.2 to 4.

JAISHREE THAKUR.J (Oral)

1. This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No.0091 dated 28.04.2021 registered under Section 354 of IPC (45 of 1860) read with Section 10 of the Protection of Children from Sexual Offences Act (32 of 2012) at Police Station City Rupnagar, Tehsil and District Rupnagar (Annexure P-1) and all subsequent proceedings arising therefrom in view of the compromise dated 11.06.2021 (Annexure P-7).

2. The aforesaid FIR has been registered on the statement of complainant/respondent No.4-Meena. Now with the intervention of respectable persons, the matter has been amicably compromised between the parties and they have resolved their disputes and differences.

3. 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.

4. In pursuance of the direction, a report has been received from the learned Additional District and Sessions Judge, Rupnagar stating that the compromise is genuine and has been effected between the parties voluntarily and out of their free will.

5. Learned State counsel on instructions from the Investigating Officer and learned counsel for the complainant-respondent No.4 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 FIR, in view of the law laid down by the Hon'ble Supreme Court.

6. I have heard learned counsel for the parties and have gone through the record.

7. 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.

8. 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.0091 dated 28.04.2021 registered under Section 354 of IPC (45 of 1860) read with Section 10 of the Protection of Children from Sexual Offences Act (32 of 2012) at Police Station City Rupnagar, Tehsil and District Rupnagar (Annexure P-1) and all subsequent proceedings arising out of the same are quashed qua petitioner.

(JAISHREE THAKUR)
JUDGE

31.08.2021

sanjeev

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