

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

**CRM-M-24409-2021 (O&M)  
Date of Decision: 01.09.2021**

**(Heard through V.C.)**

**Nirmal Singh and others**

**...Petitioners**

**Versus**

**State of Punjab and another**

**...Respondents**

**CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR**

Present:      Mr. Amandeep Singh, Advocate for the petitioners.

Ms. Rashmi Attri, A.A.G., Punjab.

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

**JAISHREE THAKUR, J. (Oral)**

1.              This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No.36 dated 15.05.2021 under Sections 306 IPC registered at Police Station Singh Dera Baba Nanak, Batala, District Gurdaspur and all subsequent proceedings arising therefrom in view of the compromise arrived at between the parties.

2.              Learned counsel for the petitioners argues that the offence under Section 306 IPC would not be made out qua the petitioners who are none other than the husband and his brother-in-law and wife of his brother-in-law. It is further contended that there is no suicide note or dying declaration of the deceased. In any case the matter has been amicably compromised between the parties.

3. Keeping in view the fact that the parties have entered into a compromise, they were directed to appear before the Illaqa Magistrate forgetting their statements recorded in support of the compromise. In pursuance of the direction, a report has been received from Judicial Magistrate Ist Class, Batala stating that the compromise arrived at between the parties is genuine and without any pressure or coercion.

4. Learned Senior Deputy Advocate General, Punjab on instructions from the Investigating Officer and learned counsel for the complainant/respondent No.2 admit the factum of compromise and the counsel for the respondent-State submits 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.

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

6. 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.

7. 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.36 dated 15.05.2021 under Sections 306 IPC registered at Police Station Singh Dera Baba Nanak, Batala, District Gurdaspur and all subsequent proceedings arising out of the same are quashed *qua* petitioners.

01.09.2021

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(JAISHREE THAKUR)  
JUDGE

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