

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M- 25143-2021 (O&M)

Date of Decision: 06.09.2021

Iqbaljit Singh Punia and another

... Petitioners

VERSUS

State of Punjab and others

.... Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present Mr. Mikhail Kad, Advocate
for the petitioners.

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

Mr. Neeraj Yadav, Advocate
for respondents No. 2 to 3.

JAISHREE THAKUR, J. (Oral)

This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of cross version case registered vide DDR No. 4 dated 08.12.2019 in which (offence under Section 354-A (1) added later on vide DDR No. 34 dated 26.02.2020, offence under Section 323, 34 IPC added later on vide DDR No. 37 dated 26.02.2020 in case FIR No. 275 dated 07.12.2019 under Sections 380, 506, 511, 34 IPC (offence under Section 420 IPC added later on) registered at Police Station City Sangrur, District Sangrur and all subsequent proceedings arising therefrom in view of the compromise.

The FIR has been registered on the statement of respondent No.2 that the petitioners abused her and tried to outrage her modesty. 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 1st Class, Sangrur 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 cross version case registered vide DDR No. 4 dated 08.12.2019 in which (offence under Section 354-A (1) added later on vide DDR No. 34 dated 26.02.2020, offence under Section 323, 34 IPC added later on vide DDR No. 37 dated 26.02.2020 in case FIR No. 275 dated 07.12.2019 under Sections 380, 506, 511, 34 IPC (offence under Section 420 IPC added later on) and all subsequent proceedings arising out of the same are quashed qua the petitioners herein.

06.09. 2021

seema

(JAISHREE THAKUR)

JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No