

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

**CRM-M No.35535 of 2021
Date of Decision:29.10.2021
(Heard through VC)**

Sunil Kumar ...Petitioner
Vs
State of Punjab and another ..Respondents

CORAM:HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Karandeep Singh, Advocate
for the petitioner.

Ms. Rashmi Attri, AAG, Punjab.

Mr. Anshul Khurana, 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.66 dated 15.07.2021 registered under Sections 363, 366-A, 120-B Indian Penal Code at Police Station Khui Khera, District Fazilka (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise in the shape of affidavit (Annexure P-2).

2. The FIR has been registered on the statement of complainant on the allegations that accused-petitioner has enticed away his daughter on the pretext of marriage. 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/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,

Fazilka stating that the compromise arrived at between the parties is without any

pressure or coercion from any one and the same is genuine one.

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

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.66 dated 15.07.2021 registered under Sections 363, 366-A, 120-B Indian Penal Code at Police Station Khui Khera, District Fazilka (Annexure P-1) and all subsequent proceedings arising out of the same are quashed qua petitioner.

(JAISHREE THAKUR)
JUDGE

October 29, 2021
P.Bhatt

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