

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

(Heard through VC)

CRM-M-33283 of 2020 (O&M)
Date of Decision: January 18, 2021

Karnail Singh @ Gikki

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Ms. Yashasvi Kapila, Advocate
for the petitioner.

Mr. Sukhbir Singh, AAG Punjab.

Mr. Rishabh Gupta, 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.116 dated 27.12.2016 registered under Sections 354, 341, 323 of Indian Penal Code at Police Station Bholath, Kapurthala (Annexure P/1) along with judgment dated 09.01.2020 (Annexure P-2) passed by Ld. SDJM, Tehsil Bholath, District Kapurthala and all subsequent proceedings arising therefrom in view of the compromise (Annexure P/3).

The FIR has been registered on the statement of complainant-
Kulwinder Kaur on the allegations that accused-petitioners inflicted injuries

upon her. 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 Sub Divisional Judicial Magistrate at Bholath, stating that the compromise arrived at between the parties is without any pressure or coercion from anyone and the same is genuine one.

Learned State counsel, on instructions from the Investigating Officer admits to 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.116 dated 27.12.2016 registered under Sections 354, 341, 323 of Indian Penal Code at Police Station Bholath, Kapurthala (Annexure P/1) along with judgment dated 09.01.2020 (Annexure P-2) passed by Ld. SDJM, Tehsil Bholath, District Kapurthala and all subsequent proceedings arising out of the same are quashed qua the petitioner herein.

January 18, 2021
vijay saini

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No