

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

CRM-M-35253 of 2020 (O&M)
Date of Decision: March 01, 2021

Rajwinder Singh @ Raju Driver

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. J.S. Dhaliwal, Advocate
for the petitioners.

Mr. Rashmi Attri, AAG Punjab.

Mr. B.S. Chahal, 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.40 dated 09.04.2019 registered under Sections 308, 325, 323, 506, 336, 148, 149 of Indian Penal Code and Sections 25 and 27 of Arms Act at Police Station Gidderbaha, District Sri Muktsar Sahib (Annexure P/1) and all subsequent proceedings arising therefrom in view of the compromise (Annexure P/2).

The FIR has been registered on the statement of complainant-Kulwinder Singh on the allegations that the accused-petitioner inflicted injuries on his person. 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 Gidderbaha, 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 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.40 dated 09.04.2019 registered under Sections 308, 325, 323, 506, 336, 148, 149 of

Indian Penal Code and Sections 25 and 27 of Arms Act at Police Station
Gidderbaha, District Sri Muktsar Sahib and all subsequent proceedings
arising out of the same are quashed qua the petitioner herein.

March 01, 2021
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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No