

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

(Heard through VC)

CRM-M-36156 of 2020 (O&M)
Date of Decision: March 31, 2021

Sachin

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Prateek Pandit, Advocate
for the petitioner.

Ms. Rashmi Attri, AAG Punjab.

Mr. Nitin Rampal, Advocate
for the complainant.

JAISHREE THAKUR, J. (Oral)

This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No.99 dated 28.04.2020 registered under Sections 323, 324, 188, 326, 506, 34 of Indian Penal Code (Section 326 of IPC added later on) at Police Station Division No.5, District Jalandhar (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- Raman Kumar on the allegations that the accused-petitioner inflicted injuries upon him. 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 First Class at Jalandhar, stating that the compromise arrived at between the parties is without any pressure or coercion from anyone and the same is genuine one.

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. However, she objects to the partial quashing of the FIR.

Counsel for the petitioner would rely upon judgments rendered in the case of ***Jayrajsingh Digvijaysingh Rana vs. State of Gujarat and another, 2012(4) RCR (Criminal) 589, Parambir Singh Gill vs. Malkiat Kaur, 2010(4) RCR (Criminal) 256*** and ***CRM-M-18632 of 2014*** titled as ***Ashok Kmar Garg and another vs. State of Punjab and others***, decided on 07.08.2015, to contend that partial quashing of the FIR on the basis of compromise can be done.

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** and the judgments relied upon by counsel for the petitioner, this petition is allowed and FIR No.99 dated 28.04.2020 registered under Sections 323, 324, 188, 326, 506, 34 of Indian Penal Code (Section 326 of IPC added later on) at Police Station Division No.5, District Jalandhar and all subsequent proceedings arising out of the same are quashed qua the petitioner herein.

March 31, 2021

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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned

Yes

Whether reportable

Yes/No