

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

(Heard through VC)

CRM-M-39030 of 2020 (O&M)
Date of Decision: January 12, 2021

Harvinder Pal @ Kala

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Tejinder Pal Singh, Advocate
for the petitioner.

Ms. Rashmi Attri, AAG Punjab.

Mr. G.S. Gill, 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.288 dated 29.09.2019 registered under Sections 307, 323 of the Indian Penal Code and Section 27 of Arms Act (Section 336 of IPC added later on and Section 307 of IPC was dropped during the enquiry) at Police Station Bhawanigarh (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-Sarabjeet Singh 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/Illaqa Magistrate for getting their statements recorded in support of the compromise. In pursuance of the direction, a report has been received from Addl. Chief Judicial Magistrate at Sangrur, 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.288 dated 29.09.2019 registered under Sections 307, 323 of the Indian Penal Code and Section 27 of Arms Act (Section 336 of IPC added later on and Section 307 of IPC was dropped during the enquiry) at Police Station Bhawanigarh and all subsequent proceedings arising out of the same are quashed.

January 12, 2021
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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No