

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

**CRM-M No.38666 of 2019(O&M)
Date of Decision: 15.09.2021**

Anil Malhotra

...Petitioner

Vs

State U.T. Chandigarh and another

...Respondents

CORAM:HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Vikas Bishnoi, Advocate
for the petitioner.

Mr. B.R. Rana, Advocate for
Mr. J.S. Toor, APP, UT, Chandigarh.

Mr. Arjun Kumar, Advocate for
Mr. Vivek Thakral, Advocate
for the complainant.

JAISHREE THAKUR J. (ORAL)

1. This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No.180 dated 09.09.2018 registered under Section 323, 354, 354-B, 506 Indian Penal Code at Police Station Sector 49, Chandigarh (Annexure P-1) and all subsequent proceedings arising therefrom in view of the compromise in shape of affidavit dated 04.09.2019.

2. The FIR has been registered on the statement of complainant on the allegations of physical assault and abuse at the hands of the accused-petitioner. 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,

Chandigarh 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. Additional Public Prosecutor, UT, Chandigarh on instructions from the Investigating Officer and counsel for the complainant-respondent 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 of FIR No.180 dated 09.09.2018 registered under Section 323, 354, 354-B, 506 Indian Penal Code at Police Station Sector 49, Chandigarh (Annexure P-1) and all subsequent proceedings arising out of the same are quashed qua petitioner.

(JAISHREE THAKUR)
JUDGE

September 15, 2021
P.Bhatt

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