

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.32635 of 2020 (O&M)

Date of Decision:14.02.2022

Jujhar Singh and others

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Rishu Mahajan, Advocate
for the petitioners.

Mr. A.S. Gill, Sr. DAG, Punjab.

Mr. Vikas Bishnoi, Advocate
for respondents No.2 & 3.

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JAISHREE THAKUR, J. (ORAL)

CRM No.44696 of 2021

Prayer in the application is for preponing the date of hearing of the main case, which is listed for 06.04.2022.

For the reasons stated in the application, the same is allowed and hearing of the main case is taken up for hearing today itself.

CRM-M No.32635 of 2020

1. This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No.144 dated 19.06.2020 registered under Sections 323, 324, 34 IPC at Police Station Lopoke, Amritsar (Annexure P-1) and all subsequent proceedings arising therefrom in view of the compromise dated 07.07.2020 (Annexure P-2).

2. The FIR has been registered on the statement of complainant on the allegations that the petitioners herein had attacked him and caused injuries to him along with respondent No.3-Amar Singh. 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 JMIC, Ajnala 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. Learned Senior Deputy Advocate General, Punjab on instructions from the Investigating Officer and learned counsel for the complainant-respondent No.2 & 3 admit the factum of compromise. Learned counsel appearing 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 FIR No.144 dated 19.06.2020 registered under Sections 323, 324, 34 IPC at Police Station Lopoke, Amritsar (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua petitioners.

February 14, 2022
Pankaj*

(JAISHREE THAKUR)
JUDGE

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