

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CRM-M No.34982 of 2021 (O&M)

Date of Decision:04.02.2022

(Heard through VC)

Jasbir Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

**CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR**

Present:- Mr. Tarun Singla, Advocate  
for the petitioner.

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

Mr. J.K. Singla, Advocate  
for the complainant.

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**JAISHREE THAKUR, J. (ORAL)**

1. In terms of the order dated 07.09.2022, an amount of Rs.50,000/- has been deposited with the Director, PGI Poor Patients Welfare Fund, Chandigarh.

2. This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No.167 dated 31.10.2011 registered under Sections 406, 506, 120-B IPC at Police Station Phillaur, District Jalandhar (Annexure P-1), order dated 18.04.2013 whereby the petitioner has been declared as proclaimed offender and all subsequent proceedings arising therefrom in view of the compromise dated 11.08.2021 (Annexure P-6).

3. The FIR has been registered on the statement of complainant on the allegations that the petitioner herein took wooden planks, girdars and ball is on rent from the complainant but did not return all articles nor paid

rent for the same amounting to Rs.30,000/-. Now with the intervention of respectable persons, the matter has been amicably compromised between the parties and they have resolved their disputes and differences.

4. 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 SDJM, Phillaur stating that the compromise arrived at between the parties is without any pressure or coercion from any one and the same is genuine one.

5. Learned Sr. DAG, Punjab on instructions from the Investigating Officer and learned counsel for the complainant-respondent No.2 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.

6. I have heard learned counsel for the parties and have gone through the record.

7. 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.

8. 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.167 dated 31.10.2011 registered under Sections 406, 506, 120-B IPC at Police Station Phillaur, District Jalandhar (Annexure P-1) and all subsequent proceedings arising therefrom out of the same including order dated 18.04.2013 whereby the petitioner has been declared as proclaimed offender are quashed qua petitioner.

February 04, 2021  
Pankaj\*

(JAISHREE THAKUR)  
JUDGE

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|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |