

111.

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

CRM-M-31018-2019 (O&M)

Date of Decision: 22.02.2022

(Heard through VC)

JASWINDER SINGH @ SABBI AND OTHERS

.... Petitioners

Versus

STATE OF PUNJAB AND ANOTHER

.... Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Karambir Singh Kahlon, Advocate, for the petitioners.

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

Ms. Reetinder Brar, Advocate, for respondent No.2.

JAISHREE THAKUR.J (Oral)

CRM-3832-2022

Prayer in this application filed under Section 482 Cr.P.C. is for preponing the main case to an early date, which is otherwise listed for hearing on 16.05.2022.

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

CRM-3834-2022

Application is allowed, as prayed for.

Annexure P-5, bank statement of petitioner No.1-Jaswinder Singh, is taken on record.

CRM-M-31018-2019

This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of DDR No.36, dated 13.06.2019, registered under Sections 324, 323, 148, 149 of IPC at Police Station Bhaini Mian Khan, District Gurdaspur (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 06.07.2019 (Annexure P-3).

The aforesaid DDR has been registered on the statement of complainant/respondent No.2-Surjit 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.

Keeping in view the fact that the parties have entered into a compromise, they were directed to appear before the learned Area Magistrate for getting their statements recorded in support of the compromise.

In pursuance of the direction, a report has been received from the learned Judicial Magistrate Ist Class, Gurdaspur stating that the compromise is genuine and has been effected between the parties without any threat or pressure.

Learned counsel appearing on behalf of respondent-State on instructions from the Investigating Officer and learned counsel for the respondent No.2 admit the factum of compromise. Learned State counsel would submit that in case the parties have indeed settled their dispute, the State would have no objection to the quashing of the DDR, 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 DDR No.36, dated 13.06.2019, registered under Sections 324, 323, 148, 149 of IPC at Police Station Bhaini Mian Khan, District Gurdaspur (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua petitioners on the basis of compromise dated 06.07.2019 (Annexure P-3).

(JAISHREE THAKUR)
JUDGE

22.02.2022
sanjeev

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No