

230.

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

CRM-M-53139-2021

Date of Decision: 21.02.2022

(Heard through VC)

SUDESH KUMAR AND ORS.

.... Petitioners

Versus

STATE OF PUNJAB AND ANOTHER

.... Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Salil Bali, Advocate,
for the petitioners.

Mr. Sandeep Singh Deol, DAG, Punjab.

Mr. Parupkar Singh Ghuman, Advocate for
Mr. Tushar Gautam, 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.219, dated 01.09.2018, registered under Sections 306, 34 of IPC at Police Station Govt. Rly. Police, District Ludhiana (Annexure P-1) and all consequential proceedings arising therefrom including the charge-sheet dated 01.02.2020 (Annexure P-4) on the basis of compromise deed dated 18.10.2021 (Annexure P-5).

The aforesaid FIR has been registered on the statement of complainant/respondent No.2-Simardeep Kaur. 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 the learned Additional District & Sessions Judge, Ludhiana stating that the compromise is genuine and has been effected between the parties without any coercion or undue influence.

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 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.219, dated 01.09.2018, registered under Sections 306, 34 of IPC at Police Station Govt. Rly. Police, District Ludhiana (Annexure P-1) and all consequential proceedings arising therefrom including the charge-sheet dated 01.02.2020 (Annexure P-4) are quashed qua petitioners on the basis of compromise deed dated 18.10.2021 (Annexure P-5).

(JAISHREE THAKUR)
JUDGE

21.02.2022

sanjeev

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