

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.53127 of 2019 (O&M)

Date of Decision:15.02.2022

(Heard through VC)

Ranjha

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Mohd. Salim, Advocate
for the petitioner.

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

Mr. Arvinder Singh, 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.172 dated 13.11.2019 registered under Sections 365, 342, 295-A IPC at Police Station Dasuya, District Hoshiarpur (Annexure P-1) and all subsequent proceedings arising therefrom in view of the compromise dated 05.12.2019 (Annexure P-2).

2. The FIR has been registered on the statement of complainant on the allegations that the petitioner herein had abducted her son and forced him to do work of dairy farming forcibly. 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, Dasuya 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 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.

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.172 dated 13.11.2019 registered under Sections 365, 342, 295-A IPC at Police Station

Dasuya, District Hoshiarpur (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua petitioner.

February 15, 2022
Pankaj*

(JAISHREE THAKUR)
JUDGE

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