

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

Sr. No.211

CRM-M-14240-2021

Date of Decision: 06.01.2023

Palwinder Singh @ Bobi

.... Petitioner

Versus

State of Haryana and another

... Respondents

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Mr. Sumit Gujjar, Advocate for
Mr. S.S.Dinarpur, Advocate
for the petitioner.

Ms. Ankita Ahuja, AAG, Haryana.

Mr. Naveen Siwach, Advocate
for respondent No.2/complainant.

TRIBHUVAN DAHIYA, J. (ORAL)

The instant petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.193 dated 19.03.2015, registered under Sections 341, 354-D and 506 of IPC at Police Station City Thanesar, District Kurukshetra (Annexure P-1) and all consequential proceedings arising therefrom including the judgment dated 29/30.01.2020 passed by Judicial Magistrate, 1st Class, Kurukshetra (Annexure P-2), in view of the compromise dated 15.03.2021 (Annexure P-4).

Keeping in view the fact that the parties entered into a compromise, this Court vide order dated 26.03.2021 directed the parties to appear before the Illaqa Magistrate/trial Court for getting their statements recorded in that regard. Pursuant thereto, a report dated 30.04.2021 has been received from D/Additional Chief Judicial Magistrate, Kurukshetra, at Flag 'A', stating that the compromise arrived at between the parties is without any pressure, coercion or undue influence.

Learned State counsel and learned counsel appearing on behalf of respondent No.2-complainant admit the factum of compromise and submit that they have no objection to quashing of the FIR on that basis.

Perusal of the aforesaid report establishes that the parties have amicably settled their dispute, and continuance of criminal prosecution in such a situation will be an exercise in futility, as the chances of ultimate conviction are bleak. The power under Section 482 Cr.P.C. can be exercised in such matters. It has been held by Supreme Court of India in cases *Gian Singh v. State of Punjab and another* 2012(10) SCC 303 and *Narinder Singh and others v. State of Punjab and another* 2014(6) SCC 466 that criminal cases having overwhelmingly civil character, particularly those arising out of commercial transactions or matrimonial relationships or family disputes, should be quashed when the parties have resolved their disputes among themselves in a *bona fide* manner.

Consequently, this petition is allowed. FIR No.193 dated 19.03.2015, registered under Sections 341, 354-D and 506 of IPC at Police Station City Thanesar, District Kurukshetra and all consequential proceedings arising therefrom including the judgment dated 29/30.01.2020 passed by Judicial Magistrate, 1st Class, Kurukshetra are hereby quashed *qua* the petitioner.

(TRIBHUVAN DAHIYA)
JUDGE

06.01.2023
Maninder

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