

CRM-M-32815-2021

212 IN THE HIGH COURT OF PUNJAB AND HARYANA  
CHANDIGARH

CRM-M-32815-2021 (O&M)

Date of Decision: 22.12.2023

NAVDEEP SHARMA AND OTHERS

...Petitioner

V/S

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Ms.Vertika Gupta, Advocate for  
Mr. Lupil Gupta, Advocate for the petitioners.

Mr. Madhur Sharma, AAG Punjab.

Mr. A.K. Gupta, Advocate for respondent No. 2.

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**HARPREET SINGH BRAR J. (Oral)**

1. This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No. 78 dated 05.06.2018, registered under Sections 186, 332, 353, 506 of Indian Penal Code at Police Station Bhikhiwind, District Tarn Taran and all subsequent proceedings arising therefrom, in view of the compromise dated 31.03.2021 (Annexure P-3).

2. The FIR has been registered on the statement of complainant-Dr. Bachittar Singh-respondent No. 2 on the allegations that on 04.06.2018 at around 4.30 PM, when the complainant was on duty in Emergency Ward, at around 11:00 AM, petitioner No. 3-Charanjit Sharma, came for his medical check up on the basis of Docket issued by the Court of learned JMJC, Patti and the complainant immediately admitted him and started giving first aid. When the complainant was about to issue MLR to petitioner No. 3, he asked the complainant to issue MLR under Section 326. When the

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complainant told petitioner No. 3 that he will issue the actual result only, then the 3-4 other persons who accompanied petitioner No. 3 started abusing the complainant, encircled him and threatened him to face consequences. 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 dated has been received from Judicial Magistrate Ist Class, Patti 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 Assistant Advocate General, Punjab has filed short reply dated 22.12.2023 by way of affidavit of Preetinder Singh, PPS, Deputy Superintendent of Police, Sub Division Valtaha, Camp at Bhikhiwind District Tarn Tarn and perusal of the said report would indicate that both the parties have got recorded their statements in terms of the compromise before the trial Court/Illaq Magistrate on 02.12.2023 and on instructions from the Investigating Officer, he admitted the factum of compromise and 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.

5. I have heard learned counsel for the parties and have gone through the record with their able assistance.

6. The parties have arrived at a compromise and settled their dispute.

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. A two Judge Bench of the Hon’ble Supreme Court in ***Shakunta Sawhney (Mrs) Vs. Kaushalya (Mrs.) and others (1980) 1 SCC 63***, speaking through Justice V.R. Krishna Iyer, has held as under:-

*“4. ....The finest hour of justice arrives propitiously when parties, despite falling apart, bury the hatchet and weave a sense of fellowship or reunion.....”*

7. Consequently, keeping in view the fact that the dispute has been amicably settled between the parties 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** and **Ramgopal and another Vs. State of Madhya Pradesh 2021 SCC OnLine SC 834** and Full Bench of this Court in **Kulwinder Singh Vs. State of Punjab 2007 (3) RCR (Crl.) 1052**, this petition is allowed and FIR No. 78 dated 05.06.2018, registered under Sections 186, 332, 353, 506 of Indian Penal Code at Police Station Bhikhiwind, District Tarn Taran and all subsequent proceedings arising out of the same are quashed qua the petitioners only.

**(HARPREET SINGH BRAR)**  
**JUDGE**

22.12.2023  
*Ajay Goswami*

Whether speaking/reasoned  
Whether reportable

Yes/No  
Yes/No