

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

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**CRM-M No.39642 of 2022
Date of Decision : 12.1.2023**

Balbir Singh

..... Petitioner

versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Mr. Naresh Kumar Ganga, Advocate, for the petitioner
Mr. Harpreet Singh, Addl. AG, Punjab
Mr. Ajit Kumar Sharma, Advocate, for respondent no.2

TRIBHUVAN DAHIYA J. (ORAL):

The instant petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.33 dated 12.6.2021, under Sections 354-C IPC and Section 66(E) and 67 of IT Act, 2000, registered at Police Station Handesra, District SAS Nagar (Annexure P-1) and all consequential proceedings arising therefrom, in view of the compromise deed dated 26.7.2021 and statement dated 21.7.2022 (Annexure P-2 and P-3 respectively).

Keeping in view the fact that the parties entered into a compromise, this Court vide order dated 28.9.2022 directed them to appear before the Illaqa Magistrate/trial Court for getting their statements recorded in that regard. Pursuant thereto, a report dated 28.10.2022 has been received from Judicial Magistrate 1st Class, Dera Bassi at Annexure-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. 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.33 dated 12.6.2021, under Sections 354-C IPC and Section 66(E) and 67 of IT Act, 2000, registered at Police Station Handesra, District SAS Nagar (Annexure P-1) and all consequential proceedings arising therefrom are hereby quashed *qua* the petitioner.

(TRIBHUVAN DAHIYA)
JUDGE

12.1.2023

Ashwani

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