

**214 IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH****CRM-M-49241-2023 (O&M)****Date of Decision: 22.12.2023****SATNAM SINGH AND OTHERS****...Petitioner****V/S****STATE OF PUNJAB AND OTHERS****...Respondents****CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR**

Present: None for the private parties.

Mr. Madhur Sharma, AAG Punjab.

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. 0017 dated 04.03.2018, registered under Sections 323, 341, 506, 427, 148 and 149 of Indian Penal Code at Police Station Bhadson, District Patiala and all subsequent proceedings arising therefrom, in view of the compromise dated 11.08.2023 (Annexure P-2).

2. The FIR has been registered on the statement of complainant-Karam Singh-respondent No. 2 on the allegations that on 04.03.2018 at around 11:00 AM, when the complainant along with other private respondents were doing construction work related to the Dharmshala for Muslim Community, the petitioners along with 4-5 other persons came there and said that when the fight will break out, bullets will be fired and the work would automatically be stopped. Then one Ajit Kaur, picked up a brick and hit the complainant on the forehead, Jasvir Singh-petitioner No. 2 picked another brick and hit the complainant on his left hand and on his chest. Other assailants also inflicted injuries upon the complainant party.

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, Nabha 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 on instructions from the Investigating Officer 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 **Parambir Singh Gill Vs. Malkiat Kaur 2010(1) RCR (Crl.) 256, Jayaraj Singh Digvijay Singh Rana Vs. State of Gujrat and Another 2012(4) RCR (Crl.) 589, 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. 0017 dated 04.03.2018, registered under Sections 323, 341, 506, 427, 148 and 149 of Indian Penal Code at Police Station Bhadson, District Patiala and all subsequent proceedings arising out of the same are quashed qua the petitioners only.

22.12.2023
Ajay Goswami

(HARPREET SINGH BRAR)
JUDGE

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