

267 IN THE HIGH COURT OF PUNJAB AND HARYANA
 CHANDIGARH
 CRM-M-50345-2023 (O&M)
 Date of Decision: 18.12.2023

SIMRANJEET SINGH AND ANOTHER

...Petitioners

V/S

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Harpreet S. Rakhra, Advocate
 for the petitioners.

Mr. Madhur Sharma, AAG Punjab.

Ms. Gurvinder Kaur, Advocate for
Mr. Mohit, Advocate
for respondent No. 2.

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. 100 dated 13.05.2023, registered under Sections 379-B of Indian Penal Code at Police Station Gate Hakima, District Amritsar and all subsequent proceedings arising therefrom in view of the compromise dated 29.09.2023 (Annexure P-2).

2. The FIR has been registered on the statement of complainant-Sajan-respondent No. 2 on the allegations that on the intervening night of 12-13.05.2023, at about 12.10 AM, when the complainant along with his friend were returning to their house on his Activa bearing No. PB02-CX-2348 and when they stopped outside gali Tokian wali and the complainant went to nearby shop for taking goods while leaving his friend Satnam Singh near the Activa, then two Sikh youngsters having loose hair and blood was oozing out from their faces, came from Naian wala turn side

and snatched Aactiva from Satnam Singh while showing him some sickle like sharp edged weapon and fled away from the spot. The complainant and his friend searched them at their own level and came to know about their name as the present petitioners i.e. Simranjeet Singh and Hira Singh respectively. 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/Illaqaa Magistrate for getting their statements recorded in support of the compromise. In pursuance of the direction, a report has been received from Judicial Magistrate Ist Class, Amritsar 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 the status report dated 18.12.2023 by way of affidavit of Surinder Singh, PPS, Assistant Commissioner of Police, Central Amritsar City, which is taken on record and on instructions from the Investigating Officer along with learned counsel for respondent No. 2 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 petitioners and respondent No. 2/complainant 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. 100 dated 13.05.2023, registered under Sections 379-B of Indian Penal Code at Police Station Gate Hakima, District Amritsar and all subsequent proceedings arising out of the same are quashed qua the petitioners only.

18.12.2023

Ajay Goswami

(HARPREET SINGH BRAR)

JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No