

**241 IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH****CRM-M-55450-2023 (O&M)****Date of Decision: 15.12.2023****ABHISHEK BAKSHI****...Petitioners****V/S****STATE OF PUNJAB AND ANOTHER****...Respondents****CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR**

Present: Mr. Navraj Singh Mahal, Advocate
for the petitioner.

Mr. Madhur Sharma, AAG Punjab.

Mr. Sumit Mehta, 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. 298 dated 22.08.2023, registered under Section 386 of Indian Penal Code at Police Station City Faridkot District Faridkot Punjab and all subsequent proceedings arising therefrom in view of the compromise dated 19.10.2023 (Annexure P-2).

2. The FIR has been registered on the statement of complainant-respondent No. 2 on the allegations that complainant is running a Gym and on 10.08.2023, complainant received a call on his mobile and the person calling, told the complainant that they are CIA Staff, Faridkot, standing outside complainant's gym and asked him to come there. Complainant in return said that he will go to the Jurisdictional Police Station. Then the complainant narrated the whole incident to the petitioner, who is a friend of complainant. The petitioner told the respondent No.

2/complainant to arrange Rs. 25,00,000/-, which is to be paid to the higher

up officials or threatened the complainant of facing dire 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 has been received from Chief Judicial Magistrate, Faridkot 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 remaining 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. 298 dated 22.08.2023, registered under Section 386 of Indian Penal Code at Police Station City Faridkot District Faridkot Punjab and all subsequent proceedings arising out of the same are quashed qua the petitioner only.

15.12.2023
Ajay Goswami

(HARPREET SINGH BRAR)
JUDGE

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