

2024:PHHC:085773



301.

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

CRM-M-8384-2024 (O&M)

Date of decision: 10.07.2024

Karamjit Singh and others

.... Petitioners

Versus

State of Punjab and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH

Present: Ms. Balpreet K. Sidhu, Advocate,
for the petitioners.

Mr. Rajinder Singh Bhatta, DAG, Punjab,
for respondent No.1.

Mr. Nippun Sharma, Advocate,
for respondent No.2.

GURBIR SINGH, J. (Oral)

1. The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.0158, dated 20.09.2023, under Sections 306, 116, 420, 120-B and 506 of IPC registered at Police Station Nathana, District Bathinda (Annexure P-1) and all subsequent proceedings arising therefrom, on the basis of compromise dated 31.10.2023 (Annexure P-2) effected between the parties.

2. This Court, vide order dated 22.04.2024, had directed the parties to appear before the trial Court/Area Magistrate to get their statements recorded and the learned Magistrate was directed to send the report qua the genuineness of the compromise.

3. In compliance thereof, report dated 03.06.2024 from learned Judicial Magistrate Ist Class, Bathinda, has been received through the District & Sessions Judge, Bathinda, with statements of the parties, in which, it has been mentioned that the compromise is genuine and has been effected between the parties voluntarily, without any coercion or undue influence.

4. Learned counsel appearing on behalf of respondent No.2 has not disputed the factum of compromise.

5. Learned State counsel submits that in case the parties have indeed settled their dispute, the State would have no objection to the quashing of the FIR since none has died in this case.

6. I have heard learned counsel for the parties and have gone through the record. None has died in this case but FIR was registered under Section 306 of IPC and other Sections of IPC.

7. In a decision, based on compromise, none of the parties is a loser. Rather, 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.

8. Following the principles laid down by the Full Bench judgment of this Court in ***Kulwinder Singh and others Versus State of***

Punjab and another 2007 (3) RCR (Criminal) 1052 and approved by the Hon'ble Supreme Court in ***Gian Singh Versus State of Punjab and others (2012) 10 SCC 303***, this petition is allowed and FIR No.0158, dated 20.09.2023, under Sections 306, 116, 420, 120-B and 506 of IPC registered at Police Station Nathana, District Bathinda (Annexure P-1) and all subsequent proceedings arising therefrom, are quashed qua the petitioners, on the basis of compromise dated 31.10.2023 (Annexure P-2) effected between the parties.

9. Pending application, if any, shall also stand disposed of.

(GURBIR SINGH)
JUDGE

July 10, 2024
sanjeev

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No