

2024:PHHC:087959



283.

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-19863-2024
Date of decision: 15.07.2024

Sab Singh @ Jassu Petitioner

Versus

State of Punjab and others Respondents

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH

Present: Ms. Divya Gulati, Advocate for
Mr. L.M. Gulati, Advocate, for the petitioner.

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

None for respondents No.2 to 4.

GURBIR SINGH, J. (Oral)

1. Present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.0235, dated 08.11.2023, under Sections 337, 338, 279, 427 of IPC, registered at Police Station Gharinda, District Amritsar Rural (Annexure P-1) and all subsequent proceedings arising therefrom, on the basis of compromise dated 29.02.2024 (Annexure P-2).
2. This Court, vide order dated 25.04.2024, 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 from learned Chief Judicial Magistrate, Amritsar, has been received through the District & Sessions Judge, Amritsar, 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. Though there is no representation on behalf of respondents No.2 to 4, but the complainant-respondent No.2-Ramanpreet Kaur (respondents No.3 and 4 are being represented through respondent No.2) has recorded her statement on 07.05.2024 before the learned Chief Judicial Magistrate, Amritsar, that she does not want to proceed with the present FIR and has no objection if the same is quashed qua the petitioner.

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.

6. I have heard learned counsel for the parties and have gone through the paper book.

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.0235, dated 08.11.2023, under Sections 337, 338, 279, 427 of IPC, registered at Police Station Gharinda, District Amritsar Rural (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioner on the basis of compromise dated 29.02.2024 (Annexure P-2).

(GURBIR SINGH)
JUDGE

July 15, 2024
sanjeev

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