



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

CRM-M-21666-2024

Date of Decision: 18.09.2024

Gurjant Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH

Present: None for the petitioner.

Mr. Rajinder Singh Bhatta, DAG, Punjab.

None for respondent Nos.2 and 3.

GURBIR SINGH, J. (ORAL)

1. The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.176 dated 09.12.2022 under Sections 420/465/467/468/471/120-B of IPC, 1860 registered at Police Station Sadar Batala, District Gurdaspur, Punjab (Annexure P-1) and all subsequent proceedings on the basis of compromise dated 12.02.2024 and 14.02.2024 (Annexure P-2 and P-3).

2. This Court, vide order dated 02.05.2024 had directed the parties to appear before the trial Court/Duty Magistrate to get their statements recorded and the learned Magistrate was directed to send the report qua the genuineness of the compromise. In compliance thereof, report dated 28.05.2024 from learned Judicial Magistrate Ist Class, Batala has already been received through the District & Sessions Judge, Batala, 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.

3. In terms of the previous order dated 24.07.2024, fresh short reply dated 17.09.2024 by way of affidavit of Mr. Sukhpal Singh, PPS, Sub-Division Fatehgarh Churian, Police District Batala has been filed on behalf of the respondent-State, which is taken on record. It is mentioned in the reply that another co-accused namely Dharminder Singh could not be traced in the locality and report in this regard has been filed on the basis of statement of one Mukhtiar Singh son of Surti Ram resident of Mohalla Aarn Haali, Rahon, District SBS Nagar.

4. There is no representation on behalf of the petitioner as well as on behalf of the complainant.

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 the learned State counsel and have gone through the record.

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.176 dated 09.12.2022 under Sections

420/465/467/468/471/120-B of IPC, 1860 registered at Police Station Sadar Batala, District Gurdaspur, Punjab (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the present petitioner only on the basis of compromise dated 12.02.2024 and 14.02.2024 (Annexure P-2 and P-3).

18.09.2024
Parveen kumar

(GURBIR SINGH)
JUDGE

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