
(2021) 03 P&H CK 0142

In the Punjab And Haryana At Chandigarh

Case No : Criminal Miscellaneous Petition (M) No. 479 Of 2021(O&M)

Atinder Pal Singh And Others

APPELLANT

Vs

State Of Punjab And Others

RESPONDENT

Date of Decision : 09-03-2021

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 482

Indian Penal Code, 1860 — Section 148, 149, 341, 323, 452, 506

Citation : (2021) 03 P&H CK 0142

Hon'ble Judges : Jaishree Thakur, J

Bench : Single Bench

Advocate : Manpreet Kaur, Rashmi Attri, Abinashi Singh

Final Decision : Allowed

Judgement

Jaishree Thakur, J

1. This petition has been filed under Section 482 of the Code of Criminal Procedure for quashing of FIR No.23 dated 07.05.2019 under Sections 341, 323, 506, 148, 149 and 452 IPC registered at Police Station Ghgga, District Patiala and all subsequent proceedings arising therefrom in view of the compromise arrived at between the parties.

2. The aforesaid FIR has been registered on the statement of respondent No.2/ complainant on the allegation that petitioners inflicted injuries upon him. 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 Illaqa 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, Samana stating that the compromise arrived at between the parties is genuine, voluntary and without any

pressure coercion or undue influence.

4. Learned State counsel on instructions from the Investigating Officer and learned counsel for the complainant/respondent No.2 admit the factum of compromise and the counsel for the respondent-State submits 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.

6. 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.

7. Consequently, keeping in view the fact that the dispute has been amicably settled 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', this petition is allowed and FIR No.23 dated 07.05.2019 under Sections 341, 323, 506, 148, 149 and 452 IPC registered at Police Station Ghgga, District Patiala and all subsequent proceedings arising out of the same are quashed qua petitioners.