

(2020) 12 P&H CK 0241

In the Punjab And Haryana At Chandigarh

Case No : Criminal Miscellaneous Petition (M) No. 29785 Of 2020 (O&M)

Hardeep Singh @ Sonu Lambar And Others

APPELLANT

Vs

State Of Punjab And Others

RESPONDENT

Date of Decision : 14-12-2020

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 482

Indian Penal Code, 1860 — Section 148, 149, 323, 325, 341, 379B, 427, 506

Citation : (2020) 12 P&H CK 0241

Hon'ble Judges : Jaishree Thakur, J

Bench : Single Bench

Advocate : L.S. Mann, Monika Jalota, Chhavi Sharma

Final Decision : Allowed

Judgement

Jaishree Thakur, J

This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No.213 dated 18.12.2019 registered under

Sections 379-B, 323, 341, 506, 427, 148, 149 Indian Penal Code (Section 325 of IPC added later on) at Police Station Mehatpur, District Jalandhar

Rural (Annexure P/1) and all subsequent proceedings arising therefrom in view of the compromise (Annexure P/2).

The FIR has been registered on the statement of complainant-respondent No.2 on the allegations that the accused-petitioners gave beatings to 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.

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 Judicial Magistrate

First Class at Nakodar, stating that the compromise arrived at between the parties is without any pressure or coercion from anyone and the same is genuine one.

Learned State counsel, on instructions from the Investigating Officer and learned counsel for complainant-respondents No.2 and 3 admit 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.

I have heard learned counsel for the parties and have gone through the record.

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.

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.213 dated 18.12.2019 registered

under Sections 379-B, 323, 341, 506, 427, 148, 149 Indian Penal Code (Section 325 of IPC added later on) at Police Station Mehatpur, District

Jalandhar Rural and all subsequent proceedings arising out of the same are quashed qua the petitioners herein.