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**(2014) 05 P&H CK 0111**  
**In the Punjab And Haryana At Chandigarh**  
**Case No : Criminal Misc. No. M-631 of 2014**

Lakhbir Singh and Others

APPELLANT

Vs

State of Punjab and Another

RESPONDENT

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**Date of Decision :** 30-05-2014

**Acts Referred:**

Criminal Procedure Code, 1973 (CrPC) — Section 482  
Penal Code, 1860 (IPC) — Section 324, 326, 341, 506

**Citation :** (2014) 05 P&H CK 0111

**Hon'ble Judges :** Inderjit Singh, J

**Bench :** Single Bench

**Advocate :** B.D. Sharma, Advocate for the Appellant; Deepak Garg, Assistant Advocate General, Punjab, Advocate for the Respondent

**Final Decision :** Allowed

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## Judgement

Inderjit Singh, J.—The petitioners have filed this petition u/s 482 Cr.P.C. praying for quashing of FIR No. 487 dated 5.12.2012 (Annexure-P.1) registered for the offences under Sections 341, 324, 326 and 506 IPC (offence u/s 326 IPC was added later on) at Police Station Civil Lines, District Amritsar City and all subsequent proceedings arising therefrom in view of the compromise dated 15.12.2013 (Annexure-P.2).

2. The FIR has been registered on the statement of complainant-Brijmohan Monu on the allegations that he along with Balwinder Singh had gone to appear in the Court in a case pending against his owner Amandeep Singh Dhillon. After the adjournment of the case, when they were going out from the gate, the petitioners started hurling abuses as to why Amandeep Singh was not coming on the date, they are to teach a lesson to him. On saying this, all the three attacked them. Out of them Monvinder Singh by taking "Kirch" tried to kill Balwinder Singh. When the complainant came forward to save him, then Monvinder Singh hit him with his dasti "Kirch" which hit him on the right arm near the elbow. Due to Kirch" blow, deep wound occurred and the complainant became unconscious.

Now the matter has been compromised with the complainant-respondent No. 2 and he has given his affidavit also mentioning that he has compromised the matter with the petitioners and has no objection if the FIR is quashed.

3. Keeping in view the fact that the parties have entered into a compromise, they were directed to appear before learned Chief Judicial Magistrate, Amritsar for getting their statements recorded in support of the compromise. After doing the needful, learned Chief Judicial Magistrate has sent her report dated 23.5.2014 submitting that the compromise arrived at between the parties is without any pressure or coercion from any one and the same is genuine one. Complainant-Brijmohan Monu has stated that he has arrived at the compromise with the accused out of his free will and willful consent and there is no pressure upon him and he has no objection if the above said FIR is quashed.

4. Learned Assistant Advocate General, Punjab, on instructions from the Investigating Officer admits the factum of compromise and 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 gone through the record and have heard learned counsel for the petitioners as well as learned Assistant Advocate General, Punjab.

6. In a decision, based on compromise, none of the parties is a loser. Rather, 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. The Hon"ble Supreme Court in Gian Singh Vs. State of Punjab and Another, , has held that the inherent jurisdiction of this Court u/s 482 Cr.P.C. can be exercised to quash the proceedings in respect of criminal cases arising from commercial, financial, mercantile, civil, partnership or such like transactions or the offences arising out of matrimony relating to dowry etc. or the family disputes where the wrong is basically private or personnel in nature and the parties have resolved their entire dispute even though they are not compoundable. Therefore, keeping in view the fact that the dispute has been amicably settled and the law laid down in Gian Singh v. State of Punjab and another (supra), this petition is allowed and FIR No. 487 dated 5.12.2012 (Annexure-P.1) registered for the offences under Sections 341, 324, 326 and 506 IPC (offence u/s 326 IPC was added later on) at Police Station Civil Lines, District Amritsar City and all subsequent proceedings arising out of the same are hereby quashed.