

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

254 **Criminal Misc. M- No. 43630 of 2014 (O&M)**  
Date of decision : 20.02.2015

Varun Panwar and others .....Petitioners

Versus

State of Haryana and others ....Respondents

**CORAM:- HON'BLE MRS. JUSTICE LISA GILL**

Present: Mr. Gautam Kaile, Advocate for  
Mr. Rajiv Sharma, Advocate  
for the petitioner.

Mr. Anmol Malik, AAG, Haryana

Mr. Ashish Yadav, Advocate  
for respondent No. 4.

**LISA GILL, J.**

1. This petition has been filed under Section 482 of the Code of Criminal Procedure for quashing of FIR No. 230 dated 13.05.2013 registered under Sections 498-A, 406, 323, 506 Indian Penal Code (for short 'IPC') at Police Station Palam Vihar, Gurgaon District Gurgaon and all other consequential proceedings arising therefrom on the basis of an amicable settlement arrived at between the parties.

2. The above said FIR has been registered on an application filed by respondent No. 4 – Shalini daughter of Sh. Attar Singh Dahia alleging commission of offences under Sections 498-A, 406, 323, 506 IPC qua the petitioners.

3. Due to the intervention of respectables, elders and friends, a compromise has been arrived at between the parties on

29.10.2013. The parties wish to live in peace and harmony and put an end to the acrimony between them. Present petition has been filed on the basis of this compromise.

4. This FIR arises out of a matrimonial dispute between the parties, which has since been amicably resolved vide the abovementioned compromise/settlement.

5. This Court on 13.01.2015 had directed the parties to appear before learned trial court on 22.01.2015 for getting their statements recorded in respect to the above-mentioned compromise. Learned trial court was directed to submit a report regarding the genuineness of the compromise, as to whether it has been arrived at out of the free will and volition of the parties without any coercion, fear or undue influence.

6. Pursuant to order dated 13.01.2015, report dated 13.02.2015 has been received from Judicial Magistrate First Class, Gurgaon wherein it is opined that the settlement arrived at between the parties is genuine and effected voluntarily, without any threat, coercion and pressure. Complainant/respondent No. 4- Shalini has duly recorded her statement in respect to the settlement. She stated that she has no objection to the quashing of the FIR on the basis of settlement. The settlement has been effected out of her own free will, without any threat or coercion. The petitioners had also recorded their statements. The statements are attached alongwith the report as well as memorandum of settlement between the parties.

7. Learned counsel for the complainant, Sh. Ashish Yadav, who had appeared on behalf of Smt. Shalini on 13.01.2015 had affirmed and verified the factum of settlement between the parties.

8. Learned counsel for the State, on instructions from ASI Anil Kumar, verifies the factum of compromise between the parties. None of the petitioners are proclaimed offender or involved in any other case.

9. In **Kulwinder Singh and others versus State of Punjab and another** 2007 (3) R.C.R. (Criminal) 1052, a five member Bench of this Court has observed as under:-

*“The compromise, in a modern society, is the sine qua non of harmony and orderly behaviour. It is the soul of justice and if the power under Section 482 of the Criminal Procedure Code is used to enhance such a compromise which, in turn, enhances the social amity and reduces friction, then it truly is “finest hour of justice”.*

10. In view of the above, it would be in the interest of justice to quash the abovesaid FIR as no useful purpose would be served by continuing the present proceedings. It will only lead to wastage of the precious time of the court and would be an exercise in futility.

11. This petition is, thus, allowed and FIR No. 230 dated 13.05.2013 registered under Sections 498-A, 406, 323, 506 IPC at Police Station Palam Vihar, Gurgaon District Gurgaon alongwith all consequential proceedings are, hereby, quashed.

February 20, 2015  
rts

(LISA GILL)  
JUDGE