

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-6536 of 2014

.....

Date of decision:16.10.2015

Baljeet Singh and others

.....Petitioners

v.

State of Haryana and another

.....Respondents

....

Present: Mr. Amardeep Hooda, Advocate for the petitioners.

Mr. Himmat Singh, Assistant Advocate General,
Haryana for the respondent-State.

Mr. Saurabh Bhardwaj, Advocate for complainant-respondent
No.2.

.....

Inderjit Singh, J.

This petition has been filed under Section 482 Cr.P.C. praying for quashing of FIR No.490 dated 17.12.2011 (Annexure-P.1) registered for the offences under Sections 406, 498-A, 506 and 34 IPC at Police Station Meham, District Rohtak and all subsequent proceedings arising therefrom in view of the compromise arrived at before the Mediation and Conciliation Centre of this Court.

The marriage of the complainant was solemnized with petitioner No.1 Baljeet Singh on 25.5.2002 at Village Titri, Tehsil Meham, District Rohtak. However, due to temperamental differences between the husband and wife, matrimonial dispute arose and the above said FIR has been registered on the statement of complainant-Seema against her husband and other family members. The matrimonial dispute was referred to

Mediation and Conciliation Centre of this Court and vide report dated 29.7.2015, the Mediator has submitted that the parties to the agreement have understood the contents thereof and their execution of the agreement is voluntary. Therefore, the matrimonial dispute has been amicably settled between the parties before the Mediation and Conciliation Centre of this Court and they have entered into a compromise.

Learned Assistant Advocate General, Haryana, on instructions from the Investigating Officer and learned counsel for the complainant-respondent No.2 admit the factum of compromise and submit that in case the parties have indeed settled their matrimonial 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 petitioners as well as learned Assistant Advocate General, Haryana and learned counsel for complainant-respondent No.2 and have gone through the record.

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 matrimonial dispute, continuance of criminal prosecution would be an exercise in futility, as the chances of ultimate conviction are bleak.

Therefore, keeping in view the fact that the matrimonial dispute has been amicably settled and in view of the law laid by the Hon'ble

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Supreme Court in Gian Singh v. State of Punjab and another, 2012 (4) RCR (Cr.) 543, this petition is allowed and FIR No.490 dated 17.12.2011 (Annexure-P.1) registered for the offences under Sections 406, 498-A, 506 and 34 IPC at Police Station Meham, District Rohtak and all subsequent proceedings arising out of the same are hereby quashed.

October 16, 2015.

(Inderjit Singh)
Judge

hsp