

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRL. MISC. No.M-6687 OF 2015
DATE OF DECISION : 22ND APRIL, 2015

Sukhdev Singh

.... Petitioner

Versus

State of Punjab & another

.... Respondents

CORAM : HON'BLE MR. JUSTICE SURINDER GUPTA

* * * *

Present : Mr. Amandeep Chhabra, Advocate for the petitioner.

Mr. Amritpal Singh Gill, AAG, Punjab.

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SURINDER GUPTA, J. (ORAL)

The petitioners have filed this petition under Section 482 of Code of Criminal Procedure (for short, 'Cr.P.C.') seeking quashing of the FIR No.127 dated 03.12.2014 (Annexure P-1) registered for offence punishable under Section 498-A IPC at Police Station City-II Mansa, on the basis of the compromise (Annexure 2).

As per case of the prosecution, the FIR in this case was got registered by respondent No.2 levelling allegations of demand of dowry and her harassment by the petitioners in her matrimonial home.

Upon notice, Mr. Amritpal Singh Gill, Assistant Advocate General, Punjab has put in appearance on behalf of respondent No.1-State.

I have heard learned counsel for the parties and perused the case file.

The parties were directed to appear before the trial court and get their statements recorded. The trial court has sent its report dated 25.03.2015 stating therein that the compromise has been effected between the complainant and the petitioner which appears to be voluntary in nature and without any pressure or coercion.

Learned State counsel has not disputed the settlement of the dispute of the parties through compromise (Annexure P-2) and has no objection in case the same is accepted.

The only obstacle in the way of accepting the compromise in order to quash the impugned FIR is that the offence under Section 498-A IPC is non-compoundable. In case ***Kulwinder Singh vs. State of Punjab, 2007 (3) RCR (Crl.) 1052***, the Full Bench of this Court has held that the FIR can be quashed on the basis of the compromise by exercising inherent powers under Section 482 Cr.P.C. even if the offence is not compoundable.

In the instant case, as per the report the matrimonial dispute between the petitioner and respondent No2 has been settled with the intervention of respectables and relatives and presently Sukhvir Kaur-respondent No.2 is living with the petitioner and do not want any action against him.

Keeping in view all the above facts, I am of the considered opinion that it is a fit case for quashing impugned FIR as keeping the case pending will not serve any purpose. The quashing of the FIR will provide the parties opportunity to live in an amicable and peaceful atmosphere

which is not only good for the parties to this petition but also to their families and ultimately the society at large.

As such, the instant petition is allowed and the impugned FIR (Annexure P-1) along with all consequential proceedings arising therefrom is quashed.

22nd April, 2015
'raj'

(SURINDER GUPTA)
JUDGE