

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

Crl. Misc. M- 10484 of 2016 (O&M)
Date of Decision: 20.12.2016

Chaman Lal

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Naveen Sharma, Advocate
for the petitioner.

Mr. Arshdeep S. Kler, DAG Punjab
for respondent No.1-State.

None for respondent No.2.

JAISHREE THAKUR, J. (Oral)

This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No.24 dated 27.02.2016 registered under Section 498-A of Indian Penal Code at Police Station Women, District Ludhiana (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- Seema Gupta on the allegations that after her marriage, the accused- petitioner started harassing her for demand of dowry. 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 Illaqua 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 Ludhiana, in which it is noted that parties are residing happily together and a statement has been made by complainant Seema Gupta that she would have no objection if the present FIR is quashed against the accused.

Learned Deputy Advocate General, Haryana, on instructions from the Investigating Officer admits the factum of compromise and submits 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 **Gian Singh Versus State of Punjab and another, 2012 (4) RCR (Cr.) 543**, this petition is allowed and FIR No.24 dated 27.02.2016 registered under Section 498-A of Indian Penal Code at Police Station Women, District Ludhiana and all subsequent proceedings arising out of the same are quashed against the petitioner.

The petition stands disposed of.

20.12.2016
vijay saini

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No