

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

Crl. Misc. No.M-23948 of 2015

Date of Decision: 02.02.2016

Satnam Singh and others

....Petitioners

Versus

State of Punjab and another

....Respondents

Crl. Misc. No.M-37524 of 2015

Harcharan Singh

....Petitioner

Versus

State of Punjab and another

....Respondents

BEFORE :- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

- 1. Whether reporters of local newspapers may be allowed to see the judgment ? (Yes/No)**
- 2. To be referred to reporters or not ? (Yes/No)**
- 3. Whether the judgment should be reported in the Digest ? (Yes/No)**

Present:- Mr. Dheeraj Mahajan, Advocate
for the petitioners in
Crl. Misc. No.M-23948 of 2015.

Mr. Vipin Mahajan, Advocate
for the petitioner in
Crl. Misc. No.M-37524 of 2015.

Mr. Rupam Aggarwal, D.A.G., Punjab
for the respondent-State.

Mr. Amit Gupta, Advocate
for respondent No.2.

DAYA CHAUDHARY, J.

By this judgment of mine, two petitions bearing **Criminal**

Misc. No.M-23948 of 2015 and **Criminal Misc. No.M-37524 of 2015** shall

be disposed of as the same have been filed for quashing of FIR on the basis of compromise.

Criminal Misc. No.M-23948 of 2015 has been filed by accused-petitioners, namely, Satnam Singh, Balwinder Kaur and Paramjit Singh, whereas, **Criminal Misc. No.M-37524 of 2015** has been filed by accused-petitioner, namely, Harcharan Singh.

Said persons were accused in case FIR No.34 dated 22.05.2014 registered under Sections 498-A, 406, 323/34 IPC at Police Station Kalanaur, District Gurdaspur. Complainant-respondent No.2 made a complaint against the accused persons and on the basis of said complaint, the FIR, in question, was registered.

Petitioner-Harcharan Singh in **Criminal Misc. No.M-37524 of 2015** is husband, whereas, petitioners in **Criminal Misc. No.M-23948 of 2015** are father-in-law, mother-in-law and brother-in-law, respectively of complainant-respondent No.2. The allegations of demand of dowry and harassment are there against the petitioners.

However, during pendency of the proceedings, a compromise has been arrived at between the parties. With the intervention of the respectables, the matter has amicably been settled and both the parties decided to live separately. In compliance of that settlement, a petition under Section 13-B of the Hindu Marriage Act was filed for dissolution of marriage with mutual consent. Thereafter, the present two petitions were filed i.e one by husband and the another by parents' in law and brother-in-law of respondent No.2.

After issuing notice of motion, the parties were directed to appear before the Illaqa Magistrate by this Court for recording of their statements with regard to compromise.

In compliance of said directions, both the parties appeared

before the Judicial Magistrate 1st Class, Gurdaspur and their statements were accordingly recorded.

A report along with statements of the parties has been sent by the Judicial Magistrate 1st Class, Gurdaspur, wherein, it has been mentioned that the compromise arrived at between the parties is as per their free will and consent and without any pressure. Complainant has specifically stated in her statement that she has no objection in quashing of FIR as well as other proceedings. The statements have duly been signed by the parties.

On perusal of statement of accused persons as well as statement of the complainant, it appears that a compromise has been arrived at between the parties and the complainant is not interested in pursuing the criminal case against the petitioners. The compromise arrived at between the parties is as per free will and the complainant has no objection in quashing of the FIR and other proceedings.

It is a matrimonial dispute and both the parties have settled their dispute by way of compromise and are not interested in continuation of the proceedings any further. The purpose of compromise is to maintain peace and harmony in the relations and continuation of proceedings would be a futile exercise and no purpose would be served as the complainant is not going to support the case of the prosecution. It would be in the interest of justice as well as for betterment of both the parties, if the present petition is allowed and the subsequent proceedings arising therefrom are quashed, the dispute being matrimonial in nature.

In view of the above, both the petitions bearing **Criminal Misc. No.M-23948 of 2015** and **Criminal Misc. No.M-37524 of 2015** are allowed and FIR No.34 dated 22.05.2014 registered under Sections 498-A, 406, 323/34 IPC at Police Station Kalanaur, District Gurdaspur along with all

subsequent proceedings arising therefrom qua petitioners, namely, Satnam Singh, Balwinder Kaur, Paramjit Singh and Harcharan Singh are hereby quashed.

02.02.2016
gurpreet

(DAYA CHAUDHARY)
JUDGE