

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

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**CRM-M- No.26532 of 2015
DATE OF DECISION: 01.12.2016.**

Gurbhej Singh @ Lucky and others

...Petitioners.

VERSUS

State of Punjab and others

...Respondents.

CORAM : HON'BLE MRS. JUSTICE JAISHREE THAKUR

Present: Mr. B.S. Baath, Advocate
for the petitioners.

Mr. Mikhail Kad, AAG, Punjab.

JAISHREE THAKUR, J. (Oral)

This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No. 120 dated 11.12.2012 (Annexure P-1), registered under Sections 498-A and 406 of the Indian Penal Code at Police Station Kalanaur, District Gurdaspur and all subsequent proceedings arising therefrom in view of the compromise dated 24.10.2014 (Annexure P-2) entered into between the parties.

The marriage of the complainant was solemnized with petitioner No. 1-Gurbhej Singh on 08.02.2012, as per Sikh rites and ceremonies. However, due to temperamental differences between the husband and wife, matrimonial dispute arose and the aforesaid FIR has been registered on the statement of complainant/respondent No. 2-Kasturi Lal. Now with the intervention of respectable persons, the matrimonial dispute has been amicably settled between the parties and they have entered into a

Keeping in view the fact that the parties have entered into a compromise, they were directed to appear before the Illaqa 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 Gurdaspur, stating that the compromise arrived at between the parties is without any pressure or coercion from any one and the same appears to be genuine one.

Learned Assistant Advocate General, Punjab on instructions from the Investigating Officer admits the factum of compromise and submit that in case the parties have indeed settled their dispute, they 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 rival parties and 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. 120 dated 11.12.2012 (Annexure P-1), registered under Sections 498-A and 406 of the

Indian Penal Code at Police Station Kalanaur, District Gurdaspur and all subsequent proceedings arising out of the same are quashed qua the petitioners.

The petition stands disposed of.

(JAISHREE THAKUR)
JUDGE

01.12.2016.

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Whether speaking/reasoned:	Yes/ No
Whether reportable:	Yes/No