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

Crl. Misc. M 39191 of 2015 (O&M)
Date of decision: 17.11.2016

Joga Singh and others

...Petitioners

Versus

State of Punjab and another

...Respondents

**CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR**

Present: Mr. Prashant Vashisth, Advocate
for the petitioners.

Mr. Mikail Kad, AAG., Punjab.

None for respondent No.2.

**JAISHREE THAKUR, J.** (Oral)

This petition has been filed under Section 482 of the Code of Criminal Procedure seeking for quashing of FIR No. 13 dated 27.1.2015 (Annexure P/1) registered under Section 498-A IPC at Police Station Mahilpur, Hoshiapur and all subsequent proceedings arising therefrom in view of the compromise (Annexure P/2).

The marriage of the complainant was solemnized with petitioner No.2 on 2.3.2013 . 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-Baljit Kaur. Now with the intervention of respectable persons, the matrimonial dispute has been amicably settled between the parties and they have entered into a compromise.

Prem Singh
2016.11.18 17:58
I attest to the accuracy and
integrity of this document

Keeping in view the fact that the parties have entered into a compromise, they were directed to appear before learned Chief Judicial Magistrate for getting their statements recorded in support of the compromise. In pursuance of the direction, a report has been received from the Chief Judicial Magistrate, Hoshiapur, stating that the compromise arrived at between the parties is without any pressure or coercion from any one and the same is 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, 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 also 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 by the Hon'ble Supreme Court in Gian Singh Versus State of Punjab and another, 2012 (4) RCR (Cr.) 543,

Prem Singh
2016.11.18 17:58
I attest to the accuracy and
integrity of this document

this petition is allowed and FIR No. 13 dated 27.1.2015 (Annexure P/1) registered under Section 498-A IPC at Police Station Mahilpur, Hoshiapur and all subsequent proceedings arising out of the same are quashed.

The petition stands disposed of.

**17.11.2016** **(JAISHREE THAKUR)**
prem **JUDGE**

Whether speaking/reasoned Yes
Whether reportable No

Prem Singh
2016.11.18 17:58
I attest to the accuracy and
integrity of this document