

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

**Criminal Misc. No. M-42122 of 2015
Date of decision: 28.03.2016**

Jagvir Singh

..Petitioner

Versus

State of Punjab and another

..Respondents

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

- 1. Whether reporters of local newspapers may be allowed to see 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. M.S. Dhami, Advocate
for the petitioner.

Mr. Rupam Aggarwal, DAG, Punjab
for respondent No.1– State.

Mr. B.K. Chaudhary, Advocate
for respondent No.2.

Daya Chaudhary, J.

This petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.270 dated 21.11.2014 registered under Sections 498-A, 406 of Indian Penal Code (for short 'IPC') at Police Station Mandi Gobindgarh, District Fatehgarh Sahib on the basis of compromise arrived at between the parties.

The aforesaid FIR was registered on the basis of complaint made by respondent No.2 alleging certain allegations of demand of dowry and harassment. During pendency of the

proceedings, a compromise was arrived at between the parties.

Notice of motion was issued in the case on 11.12.2015 and directions were issued by this Court for recording of statements of the parties with regard to compromise.

In response to the said directions issued by this Court, the parties have appeared before Sub Divisional Judicial Magistrate, Amloh and their statements with regard to compromise have been recorded. A report along with the statements of the parties has been sent, which is on record wherein the factum of compromise has been affirmed. It has also been mentioned in the report that the compromise arrived at between the parties is genuine and without any pressure from either side. Complainant-respondent No.2 has specifically stated in her statement that she has no objection in quashing of the FIR and other proceedings.

Since the dispute between the parties is matrimonial in nature and the same has been settled by way of compromise; complainant has no objection in quashing of the FIR and other proceedings, no purpose would be served in case proceedings are continued in future as it would result into wastage of precious time of the Court. Moreover, it would not be in the interest of the parties as the complainant is not going to support the case of the prosecution. The purpose of the compromise is to maintain peace and harmony in the relations.

It has been held by Five Judges' Bench of our own High

Court in *Kulwinder Singh and others vs. State of Punjab and others, 2007(3) RCR (Criminal) 1052* that this Court has wide power to quash the criminal proceedings even in non-compoundable offences, notwithstanding the bar under Section 320 of the Criminal Procedure Code in order to prevent abuse of the process of law or to secure the ends of justice.

Accordingly, the present petition is allowed and the impugned criminal proceedings arising out of FIR No.270 dated 21.11.2014 registered under Sections 498-A, 406 IPC at Police Station Mandi Gobindgarh, District Fatehgarh Sahib as well as all subsequent proceedings arising therefrom qua petitioner, namely, Jagvir Singh, are hereby quashed.

28.03.2016
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(DAYA CHAUDHARY)
JUDGE