

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

**CRM-M No. 8711 of 2016
Date of decision: 24.10.2016**

Manoj Kumar

...Petitioner

Versus

State of Punjab & Another

...Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Sandeep Panwar, Advocate
for the petitioner.

Mr. Sidakmeet Sandhu, AAG, Punjab
for respondent No. 1-State.

Mr. Jagjeet Beniwal, Advocate
for respondent No. 2-Complainant.

JAISHREE THAKUR, J. (Oral)

This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No. 4 dated 12.01.2015 (**Annexure P-1**), registered under Sections 406, 498-A, 313 and 34 of the Indian Penal Code at Police Station Lalru, District S.A.S. Nagar and all subsequent proceedings arising therefrom in view of the compromise entered into between the parties.

The FIR has been registered on the statement of complainant-Sushma Rani on the allegations that the accused-petitioner and his family members have been beating her and demanding more dowry articles and cash. 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 Illaqa Magistrate for getting their statements recorded in support of the compromise. In pursuance of the direction, a report has been received from the Additional District & Sessions Judge, Mohali, 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. The statement has been made by the parties that a divorce a petition for divorce by way of mutual consent has also been filed. It is also reported that no other case or PO proceeding is pending against either of the parties.

Learned Assistant Advocate General, Punjab, on instructions from the Investigating Officer and learned counsel for the complainant-respondent No. 2 admit 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. 4 dated 12.01.2015 (**Annexure P-1**), registered under Sections 406, 498-A, 313 and 34 of the Indian Penal Code at Police Station Lalru, District S.A.S. Nagar and all subsequent proceedings arising out of the same are quashed qua the petitioner.

The petition stands disposed of.

24.10.2016
Ansari

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned

Yes

Whether reportable

No