

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

**CRM-M-12427-2017
Date of Decision: 27.10.2017**

Anurag Gahlawat

...Petitioner

Versus

State of Haryana & others

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. A. P. S. Mann, Advocate
for the petitioner.

Mr. P. P. Chahar, DAG, Haryana.

Mr. Surinder Singh, Advocate
for respondents No. 2 and 3.

JAISHREE THAKUR, J. (Oral)

This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No. 868 dated 24.06.2015, under Sections 323, 406 and 498-A of the IPC, registered at Police Station City Panipat, District Panipat and all subsequent proceedings arising therefrom in view of the compromise dated 28.03.2017 (Annexure P-3) entered into between the parties.

The marriage of respondent No. 3 was solemnized on 24.11.2013 with petitioner-Anurag Gahlawat. 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-Yashvir Sangwan, who is the father-in-law of the petitioner. Now with the intervention of respectable persons, the

matrimonial dispute has been amicably settled between the parties and they have entered into a compromise.

Keeping in view the fact that the parties have entered into a compromise, they were directed to appear before the trial Court/Illaq Magistrate for getting their statements recorded in support of the compromise. In pursuance of the direction, a report has been received from Chief Judicial Magistrate, Panipat, 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 counsel for the petitioner submits that in fact, during the pendency of this petition, a decree of divorce, under Section 13-B of the Hindu Marriage Act, has also been obtained by the parties. A copy of the same is also placed on record. It is submitted by counsel for respondent Nos. 2 and 3 that in terms of the compromise, all the payments have been made to the complainant party.

Learned Deputy Advocate General, Haryana, on instructions from the Investigating Officer, and learned counsel for respondent Nos. 2 and 3 admit to 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 *Narinder Singh & others vs. State of Punjab & another, (2014) 6 SCC 466*, this petition is allowed and FIR No. 868 dated 24.06.2015, under Sections 323, 406 and 498-A of the IPC, registered at Police Station City Panipat, District Panipat and all subsequent proceedings arising therefrom are quashed qua the petitioner.

The petition stands disposed of.

27.10.2017

Ansari

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No