

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

**CRM-M-12442-2017
Date of Decision: 10.08.2017**

Suman Sharma & others

...Petitioners

Versus

State of Punjab & Another

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Varun Sharma, Advocate,
for the petitioners.

Mr. M. S. Nagra, AAG, Punjab
for respondent Nos. 1 to 3.

Mr. J. C. Kaushal, 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. 51 dated 21.03.2015, registered under Sections 498-A and 120-B of the IPC (Section 406 IPC added later on), at Police Station Division No. 1, Pathankot and all subsequent proceedings arising therefrom in view of the compromise dated 31.03.2017 (Annexure P-3) entered into between the parties.

The marriage of the complainant was solemnized on 06.02.2013 with petitioner No. Sachin Sharma. However, due to temperamental differences with the husband and his family members, matrimonial dispute arose and the aforesaid FIR has been registered on the statement of complainant/respondent No. 2-Sheetal Sharma. 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 Illaqa Magistrate for getting their statements recorded in support of the compromise. In pursuance of the direction, a report has been received from Additional Chief Judicial Magistrate, Pathankot, 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. It is also reported that no PO proceeding is pending against either of the parties.

Learned Assistant Advocate General, Punjab, on instructions from the Investigating Officer, and counsel for respondent No. 2 admit to the factum of compromise and submits 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. 51 dated 21.03.2015, registered under Sections 498-A and 120-B of the IPC (Section 406 IPC added later on), at Police Station Division No. 1, Pathankot and all subsequent proceedings arising out of the same are quashed qua the petitioners.

The petition stands disposed of.

August 10, 2017
Ansari

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No