

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

Crl. Misc. M-14144 of 2017 (O&M)
Date of Decision: November 30, 2017

Vikas Mehta

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Amit Parashar, Advocate
for the petitioner.

Mr. P.P. Chahar, DAG Punjab.

JAISHREE THAKUR, J. (Oral)

This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No.42 dated 16.01.2015 registered under Sections 420, 498-A, 406, 120-B of Indian Penal Code at Police Station Gurgaon Sadar, District Gurgaon (Annexure P/1) and all subsequent proceedings arising therefrom in view of the compromise (Annexure P/2).

The FIR has been registered on the statement of complainant-Priyanka on the allegations that after her marriage, the accused-petitioners started harassing her for the demand of dowry. 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 Illaqua Magistrate for

getting their statements recorded in support of the compromise. In pursuance of the direction, a report has been received from Judicial Magistrate First Class at Gurugram, stating that the compromise arrived at between the parties is without any pressure or coercion from any one and the same is genuine one.

Counsel for the petitioner submits that in terms of the compromise, a decree of divorce by mutual consent under Section 13-B of Hindu Marriage Act has been granted by the Family Court, Gurugram on 18.11.2017 and also produced on record a copy of the same.

Learned State counsel, on instructions from the Investigating Officer admits to the factum of compromise and submits 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 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.42 dated 16.01.2015 registered under Sections 420, 498-A, 406, 120-B of Indian Penal Code at Police Station Gurgaon Sadar, District Gurgaon and all subsequent proceedings arising out of the same are quashed.

The petition stands disposed of.

November 30, 2017

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**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes
Yes/No