

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

**CRM-M-17766-2017
Date of decision: 31.08.2017**

Parveen Kumar

...Petitioners

Versus

State of Haryana and Another

...Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Jatinder Dhanda, Advocate,
for the petitioner.

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

Ms. Suman Sagar, Advocate
for respondent No. 2.

JAISHREE THAKUR, J. (Oral)

This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No. 287 dated 08.11.2010, under Sections 498-A, 406 and 323 of the IPC, registered at Police Station City Tohana and all subsequent proceedings arising therefrom in view of the compromise entered into between the parties.

The marriage of the complainant was solemnized on 27.03.2007 with petitioner-Parveen Kumar. 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-Manki Devi @ Meenu. The petitioner accused was convicted by the trial Court under the said FIR, vide judgment and order of sentence dated 02.01.2015 and 03.01.2015, respectively. Aggrieved against the aforesaid conviction, the petitioner-accused has filed

an appeal which is pending before the Additional Sessions Judge. During the pendency of the appeal, 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 Sessions Judge-I, Fatehabad, 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 Deputy Advocate General, Haryana, on instructions from the Investigating Officer, and learned counsel for respondent No. 2 admits 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 *Narinder Singh & others vs. State of Punjab & another, (2014) 6 SCC 466*, this petition is allowed and FIR No. 287 dated 08.11.2010, under Sections 498-A, 406 and 323 of the IPC, registered at Police Station City Tohana and all subsequent proceedings arising out of the same are quashed qua the petitioners. Accordingly, the judgment and order of sentence dated 02.01.2015 and 03.01.2015, respectively, passed by the trial Court are also quashed.

The petition stands disposed of.

August 31, 2017

Ansari

**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No