

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

**CRM-M-20295-2017 (O&M)**

**Date of Decision: 10.08.2017**

**Balkisha @ Malkisha Salhotra & Another**

**...Petitioners**

**Versus**

**State of Punjab & others**

**...Respondents**

**CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR**

Present:- Mr. D. K. Bhatti, Advocate,  
for the petitioners.

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

Mr. Vinjay Puri, Advocate,  
for respondent No. 4/complainant.

\*\*\*\*\*

**JAISHREE THAKUR, J. (Oral)**

This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No. 102 dated 14.08.2012, registered under Sections 406 and 498-A of the IPC, at Police Station Katarpur, District Jalandhar (Annexure P-1) and all subsequent proceedings arising therefrom in view of the compromise dated 22.05.2017 and affidavit dated 23.05.2017 (Annexures P-5 and P-6) entered into between the parties.

The marriage of the complainant was solemnized on 02.10.2010 with the son of petitioner No. 1. 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. 4-Manjeet Kaur. Now with the intervention of respectable persons, the matrimonial dispute has been amicably settled

between the parties and they have entered into a compromise, wherein, it has been decided that Rs. 8 lakh would be paid to the complainant as permanent alimony of past, present and future. Out of the total amount of Rs. 8 lakh, a sum of Rs. 4 lakh has already been paid to the complainant.

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 JMIC, Jalandhar, 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 complainant stated that balance amount of Rs. 4 lac has also been paid to her.

Learned Assistant Advocate General, Punjab, on instructions from the Investigating Officer, and counsel for respondent No. 4 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. 102 dated 14.08.2012, registered under Sections 406 and 498-A of the IPC, at Police Station Katarpur, District Jalandhar (Annexure P-1) 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*