

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

**CRM-M-23917-2017
Date of Decision: 05.12.2017**

Jasvir Singh & others

...Petitioners

Versus

State of Punjab & another

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Liaqat Ali, Advcoate
for the petitioners.

Mr. A. S. Dhaliwal, DAG, Punjab.

Father of the complainant in person.

JAISHREE THAKUR, J. (Oral)

This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No. 127 dated 10.06.2006, registered under Sections 406 and 498-A of the Indian Penal Code at Police Station Sadar, District Ludhiana and all subsequent proceedings arising therefrom in view of the compromise dated 19.05.2017 (Annexure P-2) entered into between the parties.

The marriage of respondent No. 2/complainant was solemnized with petitioner No. 1 Jasvir Singh at Ludhiana as per Sikh rites and rituals. 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 Daljot Kaur. However, now with the intervention of respectable persons, the matrimonial dispute has been

amicably settled between the parties and they have entered into a compromise. In fact, the parties have decided to part their ways and have filed a petition under Section 13-B of the Hindu Marriage Act.

Keeping in view the fact that the parties have entered into a compromise, they were directed to appear before the Court below for getting their statements recorded in support of the compromise. However, a report has been received from the JMIC, Ludhiana stating therein that the parties had not appeared for recording of their statement. Father of the complainant, who is present in Court, submits that a divorce has been granted on 28.11.2017 in which entire payment has been made and the statements of the parties have been recorded therein regarding the genuineness of the compromise. It is submitted that the FIR had been registered against four persons and one person namely Sukhbir Kaur has been declared as proclaimed offender, however, this Court notices that this petition has been filed qua only three persons i.e. Jasvir Singh, Hardev Singh and Parminder Kaur and not qua Sukhbir Kaur.

Mr. A. S. Dhaliwal, DAG, Punjab, 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 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. 127 dated 10.06.2006, registered under Sections 406 and 498-A of the Indian Penal Code at Police Station Sadar, District Ludhiana and all subsequent proceedings arising out of the same are quashed qua the petitioners herein.

The petition stands disposed of.

05.12.2017

Waseem Ansari

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No