

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

Crl. Misc. M-26368 of 2017 (O&M)
Date of Decision: December 12, 2017

Varinder Kumar Bhalla and others

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Sahil Soi, Advocate for
Mr. S.P. Soi, Advocate
for the petitioners.

Mr. A.S. Dhaliwal, DAG Punjab.

Mr. Sukhmeet Singh, 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 Complaint No.5564 dated 01.07.2014 filed under Sections 406, 498-A, 315, 312, 313, 120-B of Indian Penal Code, which after committal by the JMIC, is pending in the court of learned Addl. Sessions Judge, Jalandhar (Annexure P/1) and all subsequent proceedings arising therefrom in view of the compromise (Annexure P/3).

The complaint has been filed by the complainant/respondent No.2 on the allegations that after her marriage, the accused-petitioners started harassing her for the demand of dowry and also got her abortion done forcibly. 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 trial court for getting their statements recorded in support of the compromise. In pursuance of the direction, a report has been received from Addl. District and Sessions Judge, Jalandhar stating that the compromise arrived at between the parties is without any pressure or coercion from any one and the same is genuine one.

Learned State counsel and learned counsel for the complainant-respondent No.2 admit the factum of compromise and submit that in case the parties have indeed settled their dispute, the State would have no objection to the quashing of the complaint, 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 Complaint No.5564 dated 01.07.2014 filed under Sections 406, 498-A, 315, 312, 313, 120-B of Indian Penal Code, which after committal by the JMIC, is pending in the court of learned Addl. Sessions Judge, Jalandhar and all subsequent proceedings arising out of the same are quashed qua the petitioners.

The petition stands disposed of.

December 12, 2017

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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No