

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Misc. No. M-3602 of 2016
Date of decision: February 02, 2017

Parminder Singh and another

.. Petitioners

Versus

State of Punjab and another

.. Respondents

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. S.S. Sidhu, Advocate
for the petitioners.

Mr. Ashish Sanghi, D.A.G, Punjab.

Mr. Liaqat Ali, Advocate for
Mr. A.S. Binda, Advocate
for respondent No.2.

SURINDER GUPTA, J.(Oral)

The petitioners have filed this petition under Section 482 Code of Criminal Procedure (for short, 'Cr.P.C.') seeking quashing of FIR No.115 dated 05.11.2014 (Annexure P-1), registered for offences punishable under Sections 498-A of Indian Penal Code (for short 'IPC') at Police Station Sadar Batala, District Batala, along with all consequential proceedings arising therefrom, on the basis of the compromise (Annexure P-2).

The FIR was got registered by Harinder Kaur against her husband Parminder Singh and his mother Jasbir Kaur (both petitioners) levelling allegations of demand of dowry and her maltreatment.

I have heard learned counsel for the parties and perused the case file.

The parties were directed to appear before the trial court and get their statements recorded. The trial court has sent its report dated 13.12.2016 stating therein that the compromise has been effected between the complainant and the accused which appears to be voluntary in nature and without any pressure or influence.

Learned proxy counsel for the respondent No.2-complainant has submitted that in view of the compromise (Annexure P-2), the private respondent (complainant) has no objection if the impugned FIR (Annexure P1) is quashed. Learned State counsel has also not disputed compromise (Annexure P-2).

In the instant case, the compromise has been effected with the intervention of the respectables and now the parties wish to live in peace and harmony.

Keeping all the above facts in view, I am of the considered opinion that it is a fit case in which the impugned FIR should be quashed. Keeping the case pending will not serve the ends of justice. The quashing of the FIR will provide the parties opportunity to live in an amicable, peaceful and harmonious atmosphere which is not only in the interest of the parties to this petition but also for their families and ultimately the society at large. The offence in this case is not so heinous or serious that it cannot be settled by the parties through compromise.

In view of the above discussion, the instant petition is allowed and the impugned FIR No.115 dated 5.11.2014 (Annexure P-1) along with all consequential proceedings arising therefrom, qua petitioners, is quashed.

February 02, 2017
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(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No