

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

**CRM M- No. 41035 of 2012 (O&M)  
Date of decision: May 03, 2017**

**Ravi Bhatia and others**

**..... Petitioners.**

**Versus**

**State of Haryana and another**

**.....Respondents.**

**CORAM: HON'BLE MRS. JUSTICE LISA GILL**

Present: Mr. Mohd. Sartaj, Advocate and  
Ms. Gitika, Advocate for  
Mr. Mansur Ali, Advocate  
for the petitioners.

Mr. Sanjay K. Saini, AAG, Haryana.

Ms. Jasbir Kaur, respondent No.2 in person.

**LISA GILL, J.**

This petition has been filed under Section 482 of the Code of Criminal Procedure for quashing of FIR No. 177 dated 07.08.2012 (Annexure P-6) registered under Sections 498-A, 323, 506, 34 of the Indian Penal Code (for short 'IPC') at Police Station Pinjore, District Panchkula and all other consequential proceedings arising therefrom.

The above said FIR was registered at the behest of respondent No. 2. The dispute arose between the parties because of matrimonial discord between petitioner No. 1 and respondent No. 2.

It is submitted that during the pendency of this petition, the parties have amicably resolved the entire dispute between them before the Mediation and Conciliation Centre of this Court. The terms and conditions

of the settlement have been reduced into writing on 30.05.2016 (Annexure-A). The settlement/agreement dated 30.05.2016 arrived at before the Mediation and Conciliation Centre of this Court is on the record of this Case. It is, thus, prayed that the above said FIR be quashed and this petition be disposed of on the basis of settlement arrived at between the parties.

This Court on 19.01.2017 directed the parties to appear before the learned trial Court on 01.02.2017 for recording their statements in respect to the above-mentioned compromise.

Pursuant to order dated 19.01.2017, the parties appeared before the learned Judicial Magistrate 1<sup>st</sup> Class, Kalka and their statements were recorded on 01.02.2017. Respondent No.2-Smt. Jasbir Kaur has stated that she has amicably resolved the entire dispute with her husband and in-laws. The settlement has been arrived at out of her own free will and consent, without any kind of pressure. Respondent No. 2 has stated that she has no objection if the above said FIR against all the accused petitioners is quashed. Statement of all the petitioners in respect to the settlement was also recorded.

As per report dated 16.03.2017, submitted by the learned Judicial Magistrate 1<sup>st</sup> Class, Kalka, it is opined that the settlement between the parties is genuine, arrived at out of the free will of the parties in an amicable manner, without any fear and pressure. It is further mentioned that none of the petitioners are proclaimed offenders and neither are any such proceedings pending against them.

Respondent No.2 – Smt. Jasbir Kaur is present in person. She had appeared in person on 19.01.2017 alongwith her counsel. She affirms the factual position as mentioned above. It is reiterated that the matter has

been amicably resolved with the parties and she has no objection,  
Ritu Sharma  
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authenticity of this document  
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whatsoever, to the quashing of the above mentioned FIR qua all the three petitioners. It is further informed that the petition under Section 13-B of the Hindu Marriage Act, 1955 filed by her and her husband – petitioner No. 1 has since been allowed on 01.12.2016 by the District Judge (Family Court), Panchkula.

Learned counsel for the State on instructions from ASI Raj Kumar, Police Station Pinjore submits that the present being a matrimonial dispute, the State has no objection to the quashing of this FIR on the basis of a settlement between the parties.

In **Kulwinder Singh and others versus State of Punjab and another** 2007 (3) R.C.R. (Criminal) 1052, a five member Bench of this Court has observed as under:-

*“The compromise, in a modern society, is the sine qua non of harmony and orderly behaviour. It is the soul of justice and if the power under Section 482 of the Criminal Procedure Code is used to enhance such a compromise which, in turn, enhances the social amity and reduces friction, then it truly is “finest hour of justice”.*

The Hon'ble Supreme Court in **B.S.Joshi and others v. State of Haryana**, 2003(4) SCC 675 has observed that it becomes the duty of the Court to encourage genuine settlements of matrimonial disputes.

In view of the above, it would be in the interest of justice to quash the abovesaid FIR as no useful purpose would be served by continuance of the present proceedings. It will only lead to wastage of precious time of the court and would be an exercise in futility.

This petition is, thus, allowed in view of the subsequent settlement arrived at between the parties. Consequently, FIR No. 177 dated 07.08.2012 registered under Sections 498-A, 323, 506, 34 of IPC at Police

Station Pinjore, District Panchkula alongwith all consequential proceedings arising therefrom are hereby quashed.

May 03, 2017  
rts

(Lisa Gill)  
Judge

*Whether speaking/reasoned* : *Yes*

*Whether reportable* : *Yes/No.*