

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

1. CRM-M-38324-2017

Ranjit Singh @ Jaspreet Singh **...Petitioner**

Versus

State of Punjab & another **...Respondents**

2. CRM-M-38337-2017

Ranjit Singh @ Jaspreet Singh **...Petitioner**

Versus

State of Punjab & another **...Respondents**

Date of decision: 15.12.2017

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Amardeep Singh Gill, Advocate
for the petitioner in both cases.

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

Mr. Fariad S. Virk, Advocate
for respondent No. 2 in both cases.

Mr. Davinder Bir Singh, DAG, Punjab.

JAISHREE THAKUR, J. (Oral)

This common order shall dispose of above noted two petitions
as they arise out of the same FIR.

These petitions have been filed under Section 482 of the Code
of Criminal Procedure seeking quashing of FIR No. 16 dated 03.03.2016,
under Sections 498-A and 406 of the IPC, registered at Police Station

Begowal, District Kapurthala and order dated 07.02.2017, passed by the JMIC, Kapurthala, by which the petitioner was declared a proclaimed person and all subsequent proceedings arising therefrom in view of the compromise entered into between the parties.

The marriage of respondent No. 2 was solemnized with petitioner herein on 19.04.2011 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. Rajbir 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 are stated to be living together happily.

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, reports have been received from the JMIC, Kapurthala, stating therein 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.

Learned Deputy Advocate General, Punjab, on instructions from the Investigating Officer, and learned counsel for respondent No. 2 admit to the factum of compromise and submit 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 *Narinder Singh & others vs. State of Punjab & another, (2014) 6 SCC 466*, these petitions are allowed and FIR No. 16 dated 03.03.2016, under Sections 498-A and 406 of the IPC, registered at Police Station Begowal, District Kapurthala and order dated 07.02.2017, passed by the JMIC, Kapurthala, by which the petitioner was declared a proclaimed person and all subsequent proceedings arising out of the same are quashed qua petitioner herein.

A photocopy of this order be placed on the file of the other connected case.

15.12.2017
Waseem Ansari

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No