

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

**CRM-M-41185-2017
Date of Decision: 15.12.2017**

Brij Lal Chopra & another

...Petitioners

Versus

U.T., Chandigarh & others

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. B. K. Sharma, Advocate
for the petitioners.

Mr. Gautam Dutt, Addl. P.P., U.T., Chandigarh.

Mr. A.D.S. Sukhija, Advocate
for respondents No. 2 and 3.

JAISHREE THAKUR, J. (Oral)

This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No. 384 dated 10.09.2009, registered under Sections 406 and 498-A of the Indian Penal Code at Police Station Sector 39, Chandigarh against respondents No. 2 and 3 and all subsequent proceedings arising therefrom in view of the compromise entered into between the parties.

The marriage of petitioner No. 2 solemnized with respondent No. 2. The instant petition has been filed at the behest of the complainant, who is the father of Pinki Chopra (petitioner No.2) stating therein that all disputes with Uday Bhalla and his mother Asha Bhalla i.e. husband and mother-in-law of petitioner No.2, have been settled and the terms have been reduced into a compromise and settlement deed which is annexed with the

petition as Annexure P-3. Asha Bhalla, who is the mother of Uday Bhalla, is the constituted Attorney and is competent to make any statement on behalf of both the parties.

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, a report has been received from JMIC at Chandigarh, stating 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 Addl. P.P., U.T., Chandigarh, on instructions from the Investigating Officer, and learned counsel for respondents No. 2 and 3 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*, this petition is allowed and FIR No. 384 dated 10.09.2009, registered under Sections 406 and 498-A of the Indian Penal Code at Police Station Sector 39, Chandigarh and all subsequent proceedings arising out of the same are quashed.

The petition stands disposed of.

15.12.2017
Waseem Ansari

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No