

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

Crl. Misc. M-8131 of 2017 (O&M)
Date of Decision: October 23, 2017

Gaurav Sood and another

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. K.M. Vohra, Advocate
for the petitioners.

Mr. Davinder Bir Singh, DAG Punjab.

Mr. Ashish Bansal, 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 FIR No.52 dated 24.11.2016 registered under Section 498-A of the Indian Penal Code at Police Station Women, District SAS Nagar Mohali, Punjab (Annexure P/1) and all subsequent proceedings arising therefrom in view of the compromise.

The FIR has been registered on the statement of complainant-Kanika Sood on the allegations that after her marriage, the accused-petitioners started harassing her for the demand of dowry. 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 Illaqua Magistrate for getting their statements recorded in support of the compromise. In pursuance of the direction, a report has been received from Judicial Magistrate Ist Class at SAS Nagar (Mohali), 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, on instructions from the Investigating Officer and counsel for 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 FIR, 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 facts that the dispute has been amicably settled and that the divorce in terms of the compromise has already been granted on 01.08.2017 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 FIR No.52 dated 24.11.2016 registered under Section 498-A of the Indian Penal Code at Police Station Women, District SAS Nagar Mohali, Punjab and all subsequent proceedings arising out of the same are quashed.

The petition stands disposed of.

October 23, 2017
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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No