

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

CRM-M No.9228 of 2017 (O&M)

Date of Decision: 24.08.2017

Vishal Dhawan

. . . Petitioner

Versus

State of Punjab and another

. . . Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Rajesh Dhankhar, Advocate
Mr. Vikram Sheoran, Advocate
for the petitioner.

Mr. M.S. Nagra, AAG, Punjab.

None 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. 31 dated 06.08.2015 (Annexure P-1), registered under Sections 498-A, 406, 323, 109 of the Indian Penal Code, registered at Police Station Women Police Station, Bhatinda District Bhatinda and all subsequent proceedings arising therefrom in view of the compromise (Annexure P-2) entered into between the parties.

In brief, the facts of the case are that the marriage of respondent No.2/complainant-Bindia was solemnized on 21.04.2015 with

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the petitioner. 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.2. Now with the intervention of respectable persons, the matrimonial dispute has been amicably settled between the parties and they have entered into a compromise. 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 Illaqa Magistrate for getting their statements recorded in support of the compromise. In pursuance of the direction, a report dated 25.04.2017, has been received from the Judicial Magistrate 1st Class, Bathinda stating that the compromise arrived at between the parties is without any pressure or coercion or undue influence from any one and the same appears to be genuine one.

Learned Assistant Advocate General, Punjab, on instructions from the Investigating Officer admits the factum of compromise and submits 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

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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 **Gian Singh Versus State of Punjab and another, 2012 (4) RCR (Cr.) 543**, this petition is allowed and FIR No. 31 dated 06.08.2015 (Annexure P-1), registered under Sections 498-A, 406, 323, 109 of the Indian Penal Code, registered at Police Station Women Police Station, Bhatinda and all subsequent proceedings arising out of the same are quashed qua the petitioner.

The petition stands disposed of.

[JAISHREE THAKUR]
JUDGE

August 24, 2017
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Whether Speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No