

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

Date of Decision: 04.09.2018

1. **Crl. Misc. M- 1102-2018 (O&M)**
Shiv Prasad and others
...Petitioners

Versus

State of Punjab and another
...Respondent(s)

2. **Crl. Misc. M- 17305-2017 (O&M)**
Vipta Devi and another
...Petitioners

Versus

State of Punjab and another
...Respondent(s)

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Baljinder Singh, Advocate for
Mr. Rakesh Gupta, Advocate
for the petitioners.

Ms. Rajni Gupta, Sr. DAG, Punjab

Mr. Arjun Atri, Advocate
for respondent No.2.

JAISHREE THAKUR, J. (Oral)

By this common order, this Court proposes to dispose of both
the above mentioned petitions, as they arise out of the same set of facts.

These petition have been filed under Section 482 of the Code of
Criminal Procedure seeking quashing of FIR No. 76 dated 12.06.2014
registered under Sections 406, 498-A of Indian Penal Code at Police Station

Women Cell, Patiala, District Patiala and all proceedings arising therefrom in view of the compromise (Annexure P/2).

The FIR has been registered on the statement of complainant-Santosh Rani, on the allegations that the accused-petitioners used to harass her on account of bring less dowry and gave beatings to her and threatened to kill her. 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 trial court/Illaqa Magistrate for getting their statements recorded in support of the compromise. In pursuance of the direction, a report has been received from Judicial Magistrate First Class at Patiala, 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 Sr. Deputy Advocate General, Punjab, on instructions from the Investigating Officer and learned counsel for the complainant-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 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 and others vs. State of Punjab and another, (2014) 6 SCC 466**, this petition is allowed and FIR No. 76 dated 12.06.2014 registered under Sections 406, 498-A of Indian Penal Code at Police Station Women Cell, Patiala, District Patiala and all proceedings arising out of the same are quashed qua the petitioners.

The petitions stand disposed of.

September 04, 2018

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**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No