

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

**CRM-M-13655-2018 (O&M)
Date of decision: 15.05.2018**

Davinder Kumar and another

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Salil Dev Singh Bali, Advocate,
for the petitioners.

Mr. A.S. Sandhu, Addl. A.G., Punjab.

JAISHREE THAKUR, J. (ORAL)

This is a petition that has been filed by the petitioners for quashing of FIR No. 219 dated 04.08.2014 under Sections 498A and 406 IPC, registered at Police Station City Ferozepur, on the basis of a compromise and all subsequent proceedings arising therefrom in view of the compromise entered into between the parties.

Learned counsel for the petitioners contends that the matter stands settled amicably. In fact, a petition under Section 13-B of the Hindu Marriage Act has already been filed, in which joint statement has been suffered that the complainant would have no objection in case FIR No. 219 dated 04.08.2014 under Sections 498A and 406 IPC, registered at Police Station City Ferozepur, would be quashed.

Keeping in view the fact that the parties have compromised the

matter, they were directed to appear before the trial Court for getting their statements recorded in support of the compromise. In pursuance of the direction, a report in has been received from the the Chief Judicial Magistrate, Ferozepur 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.

Mr. A.S. Sandhu, learned Addl. A.G., Punjab, on instructions from the Investigating Officer admits 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 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 *Gian Singh Versus State of Punjab and another, 2012 (4) RCR (Cr.) 543*, this petition is allowed and FIR No. 219 dated

04.08.2014 under Sections 498A and 406 IPC, registered at Police Station City Ferozepur, and all subsequent proceedings arising out of the same are quashed qua the petitioners.

The petition stands disposed of.

15.05.2018

Satyawan

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes.
No.