

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

CRM-M-13841-2018 (O&M)

Date of Decision: 18.05.2018

Kiran and Others

...Petitioner(s)

Versus

State of Punjab and Another

...Respondent(s)

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. K.S.Dhillon , Advocate
for the petitioner(s).

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

JAISHREE THAKUR, J. (Oral)

This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No. 185 dated 17.10.2014 registered under Sections 494/495/177/182/420/120-B of Indian Penal Code at Police Station New Baradari, District Jalandhar City, Punjab (Annexure P/1) and all subsequent proceedings arising therefrom in view of the compromise (Annexure P/ 2).

The FIR has been registered on the statement of complainant- Gulshan Singh Sodhi on the allegations that marriage of the complainant (with petitioner No. 1) was solemnized on 06.11.2013 and subsequently the complainant came to know that the petitioner No.1 was already married thrice without obtaining divorce. 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/Illaq 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 Jalandhar, 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, Punjab on instructions from the Investigating Officer admits the factum of compromise and submits 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. 185 dated

17.10.2014 registered under Sections 494/495/177/182/420/120-B of Indian Penal Code at Police Station New Baradari, District Jalandhar City, Punjab and all subsequent proceedings arising out of the same are quashed qua the petitioners.

The petition stands disposed of.

May 18, 2018
seema

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No