

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

Crl. Misc. M- 18636-2018 (O&M)

Date of Decision: 05.09.2018

Sohan Singh and another

...Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Sham Lal Bhalla, Advocate
for the petitioners.

Ms. Seena Mand, DAG, Punjab

Mr. Manpreet Ghuman, Advocate
for respondents No.2 and 3.

JAISHREE THAKUR, J. (Oral)

This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No. 62 dated 11.08.2010 registered under Section 406, 498-A of Indian Penal Code at Police Station Mulepur, District Fatehgarh Sahib (Annexure P/1) and all proceedings arising therefrom & also for quashing/setting aside the judgment and conviction order dated 06.01.2016 (Annexure P/2) in view of the compromise dated 10.01.2018 (Annexure P/2).

The aforesaid FIR had been registered on the statement of complainant-respondent No.2 Krishan Singh (father of respondent No.2- Manjit Kaur), on the allegations that the accused-petitioners harassed and tortured his daughter on account of bringing less dowry and gave beatings

to her at her matrimonial house. 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 dated 10.08.2018 of Judicial Magistrate First Class at Fatehgarh Sahib has been received through District and Sessions Judge, Fatehgarh Sahib, 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 Deputy Advocate General, Punjab, on instructions from the Investigating Officer and learned counsel for complainant-respondent No.2 and 3, admit 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. 62 dated 11.08.2010 registered under Section 406, 498-A of Indian Penal Code at Police Station Mulepur, District Fatehgarh Sahib (Annexure P/1) and the judgment and conviction order dated 06.01.2016 (Annexure P/2) and all proceedings arising out of the same are quashed qua the petitioners.

The petition stands disposed of.

September 05, 2018

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**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No