

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

Crl. Misc. M-19109 of 2018 (O&M)
Date of Decision: July 11, 2018

Karamveer and others

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Tarun Yadav, Advocate
for the petitioners.

Mr. P.P. Chahar, DAG Haryana.

Mr. Manish Soni, 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.895 dated 27.08.2014 registered under Sections 498-A, 406, 323, 506, 120-B of Indian Penal Code at Police Station Gurgaon City (Gurugram City) (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-
Rajender Singh on the allegations that after the marriage of his daughter, the

accused-petitioners started harassing her for the demand of dowry. 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 Ist Class at Gurugram, 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, on instructions from the Investigating Officer and learned counsel for respondents No.2 and 3 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.895 dated 27.08.2014 registered under Sections 498-A, 406, 323, 506, 120-B of Indian Penal Code at Police Station Gurgaon City (Gurugram City) and all subsequent proceedings arising out of the same are quashed qua the petitioner(s).

While allowing the instant petition for quashing of the FIR, a request has been made by learned counsel for complainant/respondents No.2 and 3 herein that hearing in the petition filed under Section 13-B of Hindu Marriage Act be expedited. It is submitted that since the parties have been residing separately from the year 2014, as such, six months waiting period as stipulated under Section 13-B of Hindu Marriage Act be waived off in terms of the order passed by the Supreme Court in **Amardeep Singh vs. Harveen Kaur, (2017) 8 SCC 746**. It is stated that the second motion petition is now listed for 05.10.2018 and that the complainant is likely to get married.

On this, learned counsel for the petitioners herein submits that in case, any such application is filed, they will not raise any objection thereto and in fact, submits that a joint application for preponing the case from 05.10.2018 shall be preferred.

In view of the aforesaid statement, this court deems it appropriate to direct the court below to prepone the matter, in case, any such

application is preferred, by taking into consideration the decision rendered in **Amardeep Singh vs. Harveen Kaur (supra)**.

The petition stands disposed of.

July 11, 2018

vijay saini

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No