

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

Crl. Misc. M 20186 of 2018 (O&M)
Date of decision: 29.5.2018

Guneet Singh Kwatra and others

...Petitioners

Versus

State of U.T., Chandigarh and another

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. K.S. Chawla, Advocate
for the petitioners.

Mr. Sukant Gupta, Additional P.P., U.T., Chandigarh.

Ms. Sukhleen Sodhi 2 Sukhleen Kaur—respondent No.2
in person.

JAISHREE THAKUR, J. (Oral)

This petition has been filed under Section 482 of the Code of Criminal Procedure seeking for quashing of FIR No. 48 dated 26.5.2016 (Annexure P/1) registered under Sections 406, 498-A IPC at Police Station Women Cell, Chandigarh, and all subsequent proceedings arising therefrom in view of the compromise arrived at between the parties.

The marriage of the complainant was solemnized with petitioner No.1 on 1.2.2014, as per Sikh rites at Chandigarh. However, due to temperamental differences between the husband and wife, matrimonial dispute arose and the aforesaid FIR has been registered on the statement of complainant-Sukhleen Kaur. Now with the intervention of respectable persons, the matrimonial dispute has been amicably settled between the

parties and they have entered into a compromise.

Learned counsel for the petitioners submits that in terms of the settlement, the statements of the parties have been recorded under Section 13-B of the Hindu Marriage Act and the matter has been finally settled between the parties. Respondent No.2, who appears in person, admits the factum of the compromise, but states that a sum of ₹2.5 lakhs, which is lying deposited by the complainant herself in FIR 48 dated 26.5.2016 be released to her, to which the learned counsel for the petitioners has no objection.

I have heard learned counsel for the parties and have also 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 matrimonial 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 matrimonial dispute has been amicably settled and in view of the law laid 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. 48 dated 26.5.2016 (Annexure P/1) registered under Sections 406, 498-A IPC at Police Station Women Cell, Chandigarh, and all subsequent proceedings

arising out of the same are quashed. It is further directed that the amount of ₹2.5 lakhs deposited by the complainant—Sukhleen Sodhi—respondent No.2 be released in her favour forthwith.

The petition stands disposed of.

29.5.2018
prem

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No