

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

Crl. Misc. M-20360 of 2018 (O&M)
Date of Decision: October 23, 2018

Himanshu Arora

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Amar Preet Singh, Advocate
for the petitioner.

Mr. Randeep Khaira, AAG Punjab.

Mr. Rohan Sharma, Advocate for
Mr. Shivam Narang, Advocate
for respondent No.2.

JAISHREE THAKUR, J. (Oral)

This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No.149 dated 18.10.2016 registered under Sections 498-A, 406 of Indian Penal Code at Police Station Model Town, District Hoshiarpur (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-Priyanka on the allegations that after her marriage, the accused-petitioner 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 Chief Judicial Magistrate at Hoshiarpur, stating that the compromise arrived at between the parties is without any pressure or coercion from any one and the same is genuine one.

Today, learned counsel for the petitioner has handed over a demand draft of ₹ 5 lacs to respondent No.2 in the court towards the balance payment of the compromise amount. A photocopy of the said demand draft duly signed by respondent No.2 and her counsel is retained on record. Learned counsel for both the parties submit that all the terms of the compromise have been complied with.

Learned State counsel, on instructions from the Investigating Officer admits to 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.149 dated 18.10.2016 registered under Sections 498-A, 406 of Indian Penal Code at Police Station Model Town, District Hoshiarpur and all subsequent proceedings arising out of the same are quashed qua the petitioner(s).

The petition stands disposed of.

October 23, 2018

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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No