

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

CRM-M-21156-2018

Date of decision: 23.07.2018

Gagandeep Singh and others

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Petitioners in person.

Navdeep @ Rozy, respondent No.2 in person.

JAISHREE THAKUR, J. (ORAL)

This is a petition that has been filed under Section 482 Cr.P.C. for quashing of FIR No. 5 dated 16.01.2013 under Sections 406, 498-A & 506 IPC, registered at Police Station Women Cell Patiala (Annexure P-1) and the subsequent proceedings arising therefrom, by the relatives of Gagandeep Singh and he himself, who had solemnized a marriage with Navdeep @ Rosy / respondent No.2.

The parties are present in Court today. They are in agreement that the matter has been settled between the parties before the Mediation and conciliation Centre of this Court by a settlement agreement dated 05.04.2018, wherein it has been agreed that the parties will reside separately, apart from withdrawing all the cases that have been filed against one another. It has also been decided that the husband Gagandeep Singh will pay a sum of ₹ 5,00,000/- to wife Navdeep @ Rosy in lieu of dowry

articles as well as permanent alimony and maintenance past, present and future. An amount of ₹ 2,00,000/- by way of demand drafts in the name of Navdeep @ Rosy dated 19.07.2018 have been handed over to her in Court and copies of the same have been retained on the Court file while handing over the same.

Keeping in view the fact that the parties have entered into a compromise before the Mediation and Conciliation Center Court, the compromise arrived at between the parties seems to be without any pressure or coercion from any one and the same appears to be genuine one.

Respondent No. 2, who is present in person, admits to the factum of compromise and submit that she has no objection to the quashing of the FIR, in view of the law laid down by the Hon'ble Supreme Court.

I have heard the rival parties and 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 & others vs. State of Punjab & another, (2014) 6 SCC 466*, this petition is allowed, FIR No. 5 dated 16.01.2013 under

Sections 406, 498-A & 506 IPC, registered at Police Station Women Cell Patiala (Annexure P-1) and all subsequent proceedings arising out of the same are quashed qua the petitioners.

The petition stands disposed of.

However, the parties are bound to comply with the terms & conditions of the said settlement/agreement failing, which the parties are at liberty to approach this Court for revival of the proceedings.

23.07.2018

Satyawan

Whether speaking/reasoned

Whether reportable

(JAISHREE THAKUR)
JUDGE

Yes.

No.