

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

Crl. Misc. M-21866 of 2018 (O&M)
Date of Decision: 25.07.2018

Lakhwinder Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Rajesh Dhiman, Advocate for the petitioner.
Mr. V.G. Jauhar, Sr. DAG, Punjab.
Mr. Atul Yadav, 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.109 dated 21.07.2014 (Annexure P-1) registered under Section 498-A of Indian Penal Code at Police Station Women Cell, District Patiala and all subsequent proceedings arising therefrom in view of the compromise (Annexure P-2).

The marriage of the complainant was solemnized with petitioner-Lakhwinder Singh on 24.10.2013 as per Sikh ritual and rights. 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-Kuldeep 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.

Keeping in view the fact that the parties have entered into a

compromise, they were directed to appear before the Illaqa Magistrate for getting their statements recorded in support of the compromise. In pursuance of the direction, a report has been received from Judicial Magistrate First Class, Patiala, 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 Sr. Deputy Advocate General, Punjab, on instructions from the Investigating Officer and learned counsel for the complainant-respondent No.2 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 **Gian Singh Versus State of Punjab and another, 2012(4) RCR (Cr.) 543**, this petition is allowed and FIR No.109 dated

21.07.2014 registered under Section 498-A at Police Station Women Cell, District Patiala and all subsequent proceedings arising out of the same are quashed.

The petition stands disposed of.

25.07.2018
 jyoti-3

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No