

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

Crl. Misc. M-2757-2018 (O&M)

Date of Decision: 21.08.2018

Naresh Kumar and others

...Petitioner(s)

Versus

State of UT Chandigarh and another

...Respondent(s)

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Sagar Aggarwal, Advocate
for the petitioner(s).

Mr. Anil Kumar Lamdharia, Addl. PP, UT, Chandigarh.

Ms. Malkeet Singh, 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. 101 dated 07.09.2017 registered under Sections 406, 498A of IPC at Women Police Station, Chandigarh (Annexure P/1) and all subsequent proceedings arising therefrom in view of the compromise (Annexure P/4).

The FIR has been registered on the statement of complainant-respondent No.2, on the allegations that the accused-petitioners harassed and tortured her for demand of dowry and subjected her to domestic violence. Now with the intervention of the respective counsels and respectable relatives, 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, which is in the shape of an affidavit of complainant-respondent No.2 (placed on the record as Annexure P/4) and the entire settled amount of Rs.5,50,000/- has been paid to the complainant-respondent No.2.

Learned Additional Public Prosecutor, UT Chandigarh, 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 **Narinder Singh and others vs. State of Punjab and another, (2014) 6 SCC 466**, this petition is allowed and FIR No. 101 dated 07.09.2017 registered under Sections 406, 498A of IPC at Women Police

Station, Chandigarh (Annexure P/ 1) and all subsequent proceedings arising out of the same are quashed qua the petitioners.

The petition stands disposed of.

August 21, 2018

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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No