

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

Crl. Misc. M-27788 of 2018 (O&M)
Date of Decision: August 21, 2018

Nishan Singh and others

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Dinesh Mahajan, Advocate
for the petitioners.

Ms. Rajni Gupta, Senior DAG Punjab.

Mr. S.S. Kaint, Advocate for
Mr. Dhawaljeet Dutta, 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 Complaint No. COMI/0000641/2014 titled as *Jasbir Kaur vs. Nishan Singh and others* dated 22.05.2014 (Annexure P/1) and all subsequent proceedings arising therefrom in view of the compromise (Annexure P/2).

The aforesaid complaint has been filed by the complainant- Jasbir Kaur on the allegations that after the marriage, the accused-petitioners 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 for getting their statements recorded in support of the compromise. In pursuance of the direction, a report has been received from Judicial Magistrate Ist Class at Batala, 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 State counsel, on instructions from the Investigating Officer and learned counsel for the complainant-respondent No.2 admit to 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 complaint, 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 complaint No. COMI/0000641/2014 titled as *Jasbir Kaur vs. Nishan Singh and others* dated 22.05.2014 and all subsequent proceedings, including the PO order

dated 06.02.2017 and 07.01.2017 passed against petitioners no.1 and 2 respectively, arising out of the same are quashed qua the petitioners herein.

The petition stands disposed of.

August 21, 2018
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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No