

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

**CRM-M-28399-2017  
Date of decision: 12.07.2018**

Bhupinder Singh and others

...Petitioners

Versus

State of Punjab and others

...Respondents

**CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR**

Present: Mr.N.C. Kinra, Advocate,  
for the petitioners.

Mr. V.G. Jauhar, Sr. DAG, Punjab.

Ms. Amanpreet Kaur Sabharwal, Advocate,  
for respondent No.3.

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**JAISHREE THAKUR, J. (ORAL)**

This petition has been filed by the petitioners under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No. 39 dated 29.04.2010, under Section 498-A of the IPC, registered at Police Station Phase-8, SAS Nagar, Mohali (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of the compromise entered into between the parties.

The marriage of respondent No. 3 was solemnized with petitioner No. 1 on 28.06.1987 according to Sikh rites and ceremonies at Chandigarh. Out of this wedlock, two daughters namely, Gursimran and Guneet were born on 02.08.1989 and 16.03.1994 respectively. 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/respondent No. 3. However, 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 Ist Class, Mohali, stating that the compromise arrived at between the parties is without any pressure or coercion from any one and the same appears to be genuine one.

Mr. V.G. Jauhar, Sr. DAG, Punjab, on instructions from the Investigating Officer, and learned counsel for respondent No. 3 admit to the factum of compromise and submit that in case the parties have indeed settled their dispute, they 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 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 and FIR No. 39 dated 29.04.2010, under Section 498-A of the IPC, registered at Police Station Phase-8, SAS Nagar, Mohali (Annexure P-1) and all subsequent proceedings arising out of the same are quashed qua the petitioners.

The petition stands disposed of.

**12.07.2018**

*Satyawan*

**(JAISHREE THAKUR)  
JUDGE**

Whether speaking/reasoned  
Whether reportable

Yes.  
No.