

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

CRM-M-35378-2016 (O&M)

Date of Decision: 04.09.2018

1.

Jaswant Singh and others

...Petitioners

Versus

State of Punjab and another

...Respondents

2.

CRM-M-29231-2018 (O&M)

Rajanpreet Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. P. S. Dhaliwal, Advocate
for the petitioners.

Ms. Seena Mand, DAG, Punjab.

Mr. Tarunveer Vashist, Advocate
for respondent No. 2.

JAISHREE THAKUR, J. (Oral)

By this common order, this Court proposes to dispose of both
the above mentioned petitions, as they arise out of the same set of facts.

These petitions have been filed under Section 482 for quashing
of FIR No. 129 dated 25.07.2013 registered under Sections 498-A, 406 IPC

at police station City Sunam, District Sangrur.

At the outset, it is noted that pursuant to the order dated 08.08.2018 in CRM-M-35378-2016, a bank account has been opened in the name of the minor child and the petitioner herein has brought a demand draft of ₹ 5 Lacs in the name of the minor child. Let the same be deposited in the bank account and an FD be made in the name of the minor child.

Learned counsel for the petitioners herein submits that a compromise has been effected between the parties at the Mediation. As per the settlement agreement, a total amount of ₹15 Lacs is to be paid as full and final settlement to the second party and the minor son, out of which ₹10 Lacs shall be paid to the second party-Sumanpreet Kaur and remaining amount of ₹ 5 Lacs to be deposited in the account of the minor child, which has already been paid in Court today in the form of demand draft. At the time of filing of petition under Section 13(B), first installment of ₹5 Lac is to be made and the balance amount is to be paid to the second party at the time of making second and final statement in petition under Section 13-B of Hindu Marriage Act.

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. 129 dated 25.07.2013 registered under Sections 498-A, 406 IPC at police station City Sunam, District Sangrur and all subsequent proceedings arising out of the same are quashed qua the petitioners herein.

In view of above, both petitions stands disposed of with a stipulation that in case the terms and conditions of the compromise are not adhered to in totality, the complainant would be at liberty to revive the proceedings.

A photocopy of this order be placed on the other file connected with this case.

September 04, 2018
seema

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No