

CRM-M-4064-2018

Date of Decision: 27.08.2018

Ajay Arora and others

.....Petitioners

Versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR**Present:** Mr. Tejinder Pal Singh, Advocate
for the petitioners.

Ms. Gaganpreet Kaur, AAG, Haryana.

Mr. Suneet Pal Singh Aulakh, Advocate
for the complainant/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.1048 dated 07.12.2016 registered under Sections 323, 498-A, 406, 34 of the Indian Penal Code at Police Station Karnal Civil Lines, District Karnal (Annexure P-1) and all subsequent proceedings arising therefrom in view of the compromise (Annexure P-2).

The marriage of the complainant was solemnized with petitioner No.1-Ajay Arora on 08.12.1997, as per Hindu rites and ceremonies at Karnal. 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-Neeru. 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 trial court/Illaq Magistrate for getting their statements recorded in support of the compromise. In pursuance of the direction, a report has been received from the Chief Judicial Magistrate, Karnal, through the District and Sessions Judge, Karnal, 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 Assistant Advocate General, Haryana, 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.1048 dated

07.12.2016 registered under Sections 323, 498-A, 406, 34 of the Indian Penal Code at Police Station Karnal Civil Lines, District Karnal (Annexure P-1) and all subsequent proceedings arising out of the same are quashed.

The petition stands disposed of.

(JAISHREE THAKUR)
JUDGE

27.08.2018

Neha

Whether Speaking/Reportable : Yes/No

Whether Reportable : Yes/No