

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

CRM-M No.41588 of 2018 (O&M)
Date of Decision: 16.11.2018

Jasminder Singh and another

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Gaurav Gupta, Advocate
for the petitioners.

Mr. Luvinder Sofat, Assistant Advocate General, Punjab.

Mr. Digvijay Nagpal, 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.54 dated 23.06.2015 registered under Sections 406 and 498-A of Indian Penal Code at Police Station Women Cell, Patiala, District Patiala (Annexure P-1) and all subsequent proceedings arising therefrom in view of the compromise dated 06.07.2018 (Annexure P-2).

The FIR has been registered on the statement of respondent No.2-Gurjit Kaur on the allegations that the petitioners were used to demand dowry and harassed the respondent No.2 on various occasions. 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/Illaq Magistrate for getting their statements recorded in support of the compromise. In pursuance of the direction, a report has been received from the Judicial Magistrate, Ist Class, Patiala, stating that the compromise arrived at between the parties is genuine, voluntarily, out of their free will and no PO proceedings are pending against any of the party and none of the parties have ever been declared proclaimed offender.

Learned State counsel, on instructions from the Investigating Officer and learned counsel for the 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 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.54 dated 23.06.2015 registered under Sections 406 and 498-A of Indian Penal Code at Police Station Women Cell, Patiala, District Patiala (Annexure P-1) and all subsequent proceedings arising out of the same are quashed qua the petitioner(s) herein.

The petition stands disposed of.

November 16, 2018
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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No