

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

**Crl. Misc. M-44008 of 2018 (O&M)
Date of Decision: 22.11.2018**

Rajesh Kumar

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Sanjiv Gupta, Advocate
for the petitioner.

Ms. Rajni Gupta, Sr. DAG, Punjab.

Mr. Kamal Chaudhary, 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.175 dated 20.12.2014 registered under Sections 406, 498-A, 506 of Indian Penal Code at Women Police Station Patiala (Annexure P-1) and all subsequent proceedings arising therefrom in view of the compromise (Annexure P-2).

Ini brief, the fact that a marriage was solemnized between the petitioner herein and respondent No.2 about 10 years ago as per Hindu rites and ceremonies. Some differences arose between the parties and the instant FIR was got registered by respondent No.2. Now with the intervention of respectable persons, the matter has been amicably compromised between the parties and they have resolved their disputes and differences and now the parties are residing together.

Keeping in view the fact that the parties have entered into a compromise, they were directed to appear before the trial court/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 First Class, Patiala, stating that the compromise arrived at between the parties is without any pressure or coercion from any one and the same is genuine one.

Ms. Rajni Gupta, learned Sr. DAG, Punjab, on instructions from the Investigating Officer and learned counsel for the complainant-respondent No.2 admit the factum of compromise and submit that the parties have indeed settled their dispute and are residing together, 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.175 dated 20.12.2014 registered under Sections 406, 498-A, 506 of Indian Penal Code at Women Police Station Patiala (Annexure P-1) and all subsequent proceedings arising out of the same are quashed qua the petitioner.

The petition stands disposed of.

22.11.2018

Satyawan

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No