

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

CRM-M-46407-2017 (O&M)
Date of decision: 16.01.2018

Shakti Raj and another

...Petitioners

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Abhilaksh Grover, Advocate,
for the petitioners.

Mr.P.P. Chahar, DAG, Haryana.

Mr. P. Uppal, 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. 230 dated 04.05.2016, under Sections 498-A, 406, 506 of the IPC, registered at Police Station SGM Nagar, Faridabad (Annexure P-1) and all subsequent proceedings arising therefrom in view of the compromise entered into between the parties.

In brief, the facts of the case are that the instant petition has been filed at the behest of the parents of Tarun Arora who had solemnised a marriage with respondent No.2. After the marriage a dispute arose between the parties which led to the filing of FIR No. 230 dated 4.5.2016, under Sections 498-A, 406, 506 IPC, Registered at Police Station SGM Nagar, Faridabad. After the registration of the FIR, the parties compromised the

matter and decided to part ways. Resultantly, in terms of the compromise it was decided that a sum of Rupees six lacs would be paid to the respondent complainant as permanent alimony for past, present and future maintenance. A quashing petition was filed in this Court, which is CRM-M-12047-2017 by Tarun Arora seeking quashing on the basis of compromise which stands allowed by order dated 30.08.2017. However, inadvertently the names of the parents were not entered into the said petition, hence, the present petition for quashing of the FIR against the parents i.e. the present petitioners as well.

Keeping in view the fact that the parties have compromised the matter, they were directed to appear before the trial Court for getting their statements recorded in support of the compromise. In pursuance of the direction, a report has been received from the the Judicial Magistrate Ist Class, Faridabad 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.P.P. Chahar, learned DAG, Haryana on instructions from the Investigating Officer and learned counsel for the respondent No. 2 admit 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 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 *Gian Singh Versus State of Punjab and another, 2012 (4) RCR (Cr.) 543*, this petition is allowed and FIR No. 230 dated 04.05.2016, under Sections 498-A, 406, 506 of the IPC, registered at Police Station SGM Nagar, Faridabad (Annexure P-1) and all subsequent proceedings arising out of the same are quashed qua the petitioners.

The petition stands disposed of.

16.01.2018

Satyawan

**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned

Yes.

Whether reportable

No.