

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

1. CRM-M-47535-2017

Taran Kumar @ Tarun Kumar & others

...Petitioners

Versus

State of Punjab & another

...Respondents

2. CRM-M-47620-2017

Taran Kumar & another

...Petitioners

Versus

State of Punjab & another

...Respondents

Date of decision: 16.02.2018

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Saurabh Kapoor, Advocate
for the petitioners in both cases.

Mrs. Anju Arora, Addl. A.G., Punjab.

Mr. Anil Kumar Garg, Advocate
for respondent No. 2 in both cases.

JAISHREE THAKUR, J. (Oral)

This common order shall dispose of above noted two petitions
as they arise out of the same FIR.

These petitions have been filed under Section 482 of the Code
of Criminal Procedure seeking quashing of FIR No. 141 dated 10.12.2013,
under Sections 498-A, 406 and 420 of the IPC, registered at Police Station
Goraya, Jalandhar City; order dated 02.11.2015 by which petitioner No. 4

has been summoned under Section 319 Cr.P.C. as an additional accused as well as order dated 26.05.2014 by which the petitioners No. 1 and 2 have been declared proclaimed persons, and all subsequent proceedings arising therefrom in view of the compromise entered into between the parties.

The marriage of respondent No. 2 was solemnized with petitioner No. 1 Taran Kumar @ Tarun Kumar on 30.11.2012 as per Sikh rites and rituals. 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/respondent No. 2 Vandana Rani. However, now with the intervention of respectable persons, the matrimonial dispute has been amicably settled between the parties and they have entered into a compromise. In fact, the parties have decided to part their ways peacefully.

Keeping in view the fact that the parties have entered into a compromise, they were directed to appear before the Illaqa Magistrate for getting their statements recorded in support of the compromise. In pursuance of the direction, reports have been received from the JMIC, Phillaur, stating therein 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.

Learned Additional Advocate General, Punjab, on instructions from the Investigating Officer, and learned counsel for respondent No. 2 admit to 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 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 & others vs. State of Punjab & another, (2014) 6 SCC 466*, these petitions are allowed and FIR No. 141 dated 10.12.2013, under Sections 498-A, 406 and 420 of the IPC, registered at Police Station Goraya, Jalandhar City; order dated 02.11.2015 by which petitioner No. 4 has been summoned under Section 319 Cr.P.C. as an additional accused as well as order dated 26.05.2014 by which the petitioners No. 1 and 2 have been declared proclaimed persons; including all subsequent proceedings arising out of the same are quashed qua the petitioners herein.

16.02.2018
Waseem Ansari

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No