

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

Crl. Misc. M 7241 of 2018 (O&M)
Date of decision: 23.8.2018

Hanish Verma and another

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Bhriugu Dutt Sharma, Advocate
for the petitioners.

Ms. Seena Mand, DAG, Punjab.

Mr. S.S. Chathrath, Advocate,
for respondent No.2.

JAISHREE THAKUR, J. (Oral)

This petition has been filed under Section 482 of the Code of Criminal Procedure seeking for quashing of FIR No. 75 dated 1.12.2015 (Annexure P/1) registered under Sections 406/498-A IPC at Police Station Women Cell, District Jalandhar, and all subsequent proceedings arising therefrom in view of the compromise (Annexure P/2).

The marriage of the complainant—respondent No.2 was solemnized with petitioner No.1 on 1.5.2013, as per Hindu rites. 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-Nisha.

During the course of trial, Vinod Kumar—petitioner No.2 herein, who is father of petitioner No.1, was summoned under Section 319 of the Code of Criminal Procedure to face trial. Consequently, petitioner No.2 filed Criminal Misc. M 23773 of 2017 in this Court. On 2.11.2017, the matter was referred to Mediation and Conciliation Centre of this Court for an amicable settlement of the disputes between the parties. Now the dispute has been settled. Petitioner No.1 has agreed to make the payment of ₹8,25,000/- to the complainant—respondent No.2 herein as permanent alimony towards past, present and future maintenance and compensation of all the gift articles including Istridhan as a full and final settlement of the all the disputes between the parties. It has also agreed between the parties they will withdraw all the cases filed against each other.

Learned Deputy Advocate General, Punjab 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 matrimonial 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 also 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 matrimonial 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 matrimonial dispute has been amicably settled and in view of the law laid 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. 75 dated 1.12.2015 (Annexure P/1) registered under Sections 406/498-A IPC at Police Station Women Cell, District Jalandhar, and all subsequent proceedings arising out of the same are quashed.

The petition stands disposed of.

23.8.2018
prem

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No