

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

Crl. Misc. M-802 of 2018 (O&M)

Date of Decision: 12-11-2018

Mohinder Singh Bagri and another

...Petitioner(s)

Versus

UT Chandigarh and another

...Respondent(s)

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. JS Thakur, Advocate
for the petitioners.

Mr. Gautam Kaile, Advocate, for
Mr. Rajiv Sharma, Addl. PP, UT, Chandigarh.

Mr. IPS Bains, Advocate
for the 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.206 dated 21.08.2014 registered under Sections 406, 498-A of the Indian Penal Code at Police Station Sector 26, Chandigarh (Annexure P/1) and all subsequent proceedings arising therefrom in view of the compromise arrived at between the parties.

The FIR has been registered on the statement of complainant-respondent No.2 on the allegations that the accused-petitioners have harassed and tortured her for bringing less dowry and taunting her by saying 'Bhanj' and the accused persons have also beaten her in her matrimonial house. 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 dated 1.10.2018 has been received from Additional Chief Judicial Magistrate at Chandigarh forwarded by the District and Sessions Judge, Chandigarh, stating that the compromise arrived at between the parties is without any pressure or coercion from any one and the same is genuine one.

Learned Counsel appearing on behalf of Additional PP for the State-UT, on instructions from the Investigating Officer 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 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.206 dated 21.08.2014 registered under Sections 406, 498-A of the Indian Penal Code at Police Station Sector 26, Chandigarh and all subsequent proceedings arising out of the same are quashed qua both the petitioners herein only.

The petition stands disposed of.

November 12, 2018

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**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes
Yes/No