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

Crl. Misc. M-838 of 2018 (O&M)
Date of Decision: May 10, 2018

Vikas Arora and others

...Petitioners

Versus

State of Haryana and another

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Sunil Dhanda, Advocate for
Mr. Rajesh Lamba, Advocate
for the petitioners.

Mr. P.P. Chahar, DAG Haryana.

JAISHREE THAKUR, J. (Oral)

This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No.36 dated 19.02.2017 registered under Sections 406, 498-A, 34 and 506 of Indian Penal Code at Police Station Women Gurgaon, District Gurgaon (now Gurugram) (Annexure P/1) and all subsequent proceedings arising therefrom in view of the compromise (Annexure P/2).

The FIR has been registered on the statement of complainant-Ninu Malhotra on the allegations that after her marriage, the accused-petitioners started harassing her for the demand of dowry. 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

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compromise, they were directed to appear before the Illaqua 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 at Gurugram, 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 State counsel, on instructions from the Investigating Officer admits to the factum of compromise and submits 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.36 dated 19.02.2017 registered under Sections 406, 498-A, 34 and 506 of Indian

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Penal Code at Police Station Women Gurgaon, District Gurgaon (now Gurugram) and all subsequent proceedings arising out of the same are quashed qua the petitioner(s) herein. The parties shall remain bound by the terms of the compromise.

The petition stands disposed of.

(JAISHREE THAKUR)
JUDGE

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Whether speaking/reasoned Yes
Whether reportable Yes/No

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