

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

CRM-M No.6509 of 2020 (O&M)
Date of Decision.13.10.2020
(Heard through VC)

Deepak Navraj Singh and others

...Petitioners

Vs

State of Punjab and another

...Respondents

CORAM:HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Arshdeep Singh Brar, Advocate
for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

Mr. Onkar Singh, Advocate
for the complainant-respondent No.2.

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JAISHREE THAKUR J. (ORAL)

1. This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No.6 dated 12.10.2016 registered under Sections 498-A, 420, 406 IPC at Police Station NRI, Moga, District Moga (Annexure P-1) and all subsequent proceedings arising therefrom in view of the compromise dated 10.02.2020 (Annexure P-2).

2. The FIR has been registered on the statement of complainant-respondent No.2 on the allegations of harassment at the hands of accused-petitioners for 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.

3. 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 has been received from Judicial Magistrate 1st Class, Moga stating that the compromise arrived at between the parties is without any pressure or coercion from any one and the same is genuine one.

4. Learned Deputy Advocate General, Punjab on instructions from the Investigating Officer and learned counsel for the complainant-respondent No.2 admit the factum of compromise and the counsel for the State 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.

5. Learned counsel for the complainant-respondent No.2 also admitted that in terms of the compromise, an amount of Rs.8 lakhs was paid to the complainant at the first motion and Rs.11 lakhs have also been paid in compliance of order dated 29.09.2020 passed by this Court. He also submitted that the amount of Rs.3 lakhs, which was lying with the trial Court has already been released in favour of the complainant and therefore, the complainant has no objection in case the proceedings under the FIR are quashed.

6. I have heard learned counsel for the parties and have gone through the record.

7. 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.

8. 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.6 dated 12.10.2016 registered under Sections 498-A, 420, 406 IPC at Police Station NRI, Moga, District Moga and all subsequent proceedings arising out of the same are quashed qua petitioners. However, the petition which has been filed under Section 13-B of the Hindu Marriage Act will be dealt with in accordance with law.

(JAISHREE THAKUR)
JUDGE

October 13, 2020
Pankaj*

Whether speaking/reasoned Yes/No

Whether reportable Yes/No