

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

CRM-M-14638 of 2017 (O&M)

Date of Decision: February 05, 2020

Suvrat Kashyap @ Suvrat Kumar and others

...Petitioners

Versus

State of Haryana and another

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. K.P. Singh, Advocate
for the petitioners.

Mr. Tanuj Sharma, AAG Haryana.

Mr. G.C. Shahpuri, Advocate
for respondent No.2.

Petitioner No.1 and respondent No.2 in person.

JAISHREE THAKUR, J. (Oral)

This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No.13 dated 30.10.2015 registered under Sections 120-B, 323, 406, 498-A, 506 of Indian Penal Code at Police Station Women Panchkula, District Panchkula (Annexure P/1) and all subsequent proceedings arising therefrom.

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

During the pendency of these proceedings, the matter was referred to the Mediation and Conciliation Centre of this court, where the

parties to the marriage have amicably settled their disputes by way of Settlement/Agreement dated 28.10.2018.

Counsel for the petitioners as well as respondent No.2 submit that pursuant to the said compromise arrived at between the parties, a petition under Section 13-B of Hindu Marriage Act was preferred for dissolution of marriage and a decree of divorce by mutual consent has already been allowed on 16.07.2019.

Both the parties i.e. petitioner No.1 and respondent No.2 are present in the court today and have been identified by their respective counsels.

On the asking of the court, respondent No.2-Sudhi Kumar admits that the matter has been amicably settled and she would have no objection, in case, the FIR in question is quashed. Her separate statement also recorded to this effect.

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.13 dated 30.10.2015 registered under Sections 120-B, 323, 406, 498-A, 506 of Indian Penal Code at Police Station Women Panchkula, District Panchkula and all subsequent proceedings arising out of the same are quashed.

February 05, 2020

vijay saini

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned

Yes

Whether reportable

Yes/No