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

Crl. Misc. M 34563 of 2017 (O&M)
Date of decision: 12.3.2020

Ikbal Singh and another

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. MS Bedi, Advocate
for the petitioners.

Mr. Davinder Bir Singh, DAG, Punjab.

Mr. BS Bajwa, 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. 10 dated 3.11.2014 (Annexure P/1) registered under Sections 406 and 498-A IPC at Police Station Women Cell, Amritsar and all subsequent proceedings arising therefrom.

The marriage of the complainant was solemnized with petitioner No.1 on 2.3.2008, as per Sikh rites and ceremonies. 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-Khushminder Kaur. Now with the intervention of respectable persons, the matrimonial dispute has been amicably settled between the parties and they have entered into a compromise.

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Keeping in view the fact that the parties have entered into a compromise, they were directed to appear before learned trial court for getting their statements recorded in support of the compromise. In pursuance of the direction, a report has been received from the Judicial Magistrate Ist Class, Amritsar, 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 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 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**

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another (2014) 6 SCC 466, this petition is allowed and FIR No. 10 dated 3.11.2014 (Annexure P/1) registered under Sections 406 and 498-A IPC at Police Station Women Cell, Amritsar and all subsequent proceedings arising out of the same are quashed.

The petition stands disposed of.

12.3.2020 **(JAISHREE THAKUR)**
prem **JUDGE**

Whether speaking/reasoned Yes
Whether reportable No

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