

CRM-M-20961 of 2019

Date of Decision: 24.02.2020

.... Petitioners

Versus

... Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Tanvir Singh Grewal, Advocate
for the petitioners.

Mr. Davinder Bir Singh, DAG, Punjab.

Mr. Kushagra Beniwal, Advocate
for respondent No. 2.

JAISHREE THAKUR, J. (ORAL)

This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of Complaint No. 10 dated 06.03.2013 registered under Sections 406, 506, 498A, 120B IPC (Annexure P-1) in the Court of Judicial Magistrate First Class, Sunam and all subsequent proceedings arising therefrom including the judgment of conviction and order of sentence dated 23.07.2018 passed by Ld. Judicial Magistrate First Class, Sunam, in view of the compromise dated 16.03.2019 (Annexure P-3).

The complaint has been registered on the statement of complainant-on the allegations that the accused-petitioners demanded dowry from the complainant, gave her beatings on several occasions and also threatened to kill her. 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 has been received from Judicial Magistrate First Class, Sunam (Sangrur), 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 admits 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 complaint, 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 Complaint No. 10 dated 06.03.2013 registered under Sections 406, 506, 498A, 120B IPC in the Court of Judicial Magistrate First Class, Sunam and all subsequent proceedings arising out of the same are quashed qua the petitioners- Narinder Singh, Sahib Singh, Ramandeep Kaur, Harpal Singh and Harpreet Kaur.

(JAISHREE THAKUR)
JUDGE

24.02.2020
Maninder

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No