

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

Crl. Misc. M- 35847-2019 (O&M)

Date of Decision: January 29, 2020

Gaurav Verma and others

... Petitioners

Versus

State of Haryana and others

... Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Parminder Singh, Advocate
for the petitioners.

Mr. Tanuj Sharma, Asstt. A.G., Haryana.

Mr. Shailender Singh Gill, 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 FIR No. 427 dated 24.11.2016 registered under Sections 406, 498-A, 377, 354, 504, 506 of IPC and later on added offence under Section 307 of the IPC at Police Station Civil Lines, Kaithal, District Kaithal (Annexure P/1) and all subsequent proceedings arising therefrom in view of the compromise dated 19.08.2019(Annexure P/2).

The FIR has been registered on the statement of complainant-respondent No.2 on the allegations that the accused-petitioners have harassed and tortured her in her matrimonial home for want of dowry, mal-

treated her, as well as committing unnatural sex (by her husband). 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 Ist Class at Kaithal, 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 Assistant Advocate General, Haryana, on instructions from the Investigating Officer and the learned counsel for the respondent No.2 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 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. 427 dated 24.11.2016 registered under Sections 406, 498-A, 377, 354, 504, 506 of IPC and later on added offence under Section 307 of the IPC at Police Station Civil Lines, Kaithal, District Kaithal and all subsequent proceedings arising out of the same are quashed.

January 29, 2020
seema

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No