

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

Crl. Misc. M- 38584-2019 (O&M)

Date of Decision: January 28, 2020

Dharmender and others

... Petitioners

Versus

State of Haryana and another

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Rajinder Singh Malik, Advocate
for the petitioners.

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

Mr. Vikas Gulia, 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. 0279 dated 20.08.2019 registered under Sections 313, 34, 377, 498-A, 406 of Indian Penal Code at Police Station Murthal, District Sonapat (Annexure P/1) and all subsequent proceedings arising therefrom in view of the compromise dated 04.09.2019 (Annexure P/2) arrived at between the petitioners and respondent No.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 for want of dowry and also got her abortion by giving her some medicine. Now with the intervention of the respectable

people in the families, 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 dated 19.11.2019 has been received from the Chief Judicial Magistrate, Sonapat, stating that the compromise arrived at between the parties has been genuine, voluntary and without any coercion or undue influence from anyone.

Learned Assistant Advocate General, Haryana, on instructions from the Investigating Officer and learned counsel for the complainant-respondent No.2 admit the factum of settlement and submit 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. 0279 dated 20.08.2019 registered under Sections 313, 34, 377, 498-A, 406 of Indian Penal Code at Police Station Murthal, District Sonipat and all subsequent proceedings arising out of the same are quashed qua the petitioners.

January 28, 2020
seema

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No