

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.39154 of 2019
Date of Decision:11.02.2020

Pritpal

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Amandeep Singh Nirmaan, Advocate
for the petitioner.

Mr. Sidakmeet Singh Sandhu, AAG, Punjab.

Mr. Nitian Sharma, Advocate
for respondent No.2.

-.-

JAISHREE THAKUR, J. (ORAL)

1. This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No.0161 dated 26.12.2018 registered under Sections 406/498-A Indian Penal Code at Police Station Women, Ludhiana (Annexure P-1) and all subsequent proceedings arising therefrom in view of the compromise (Annexure P-2) arrived at between the parties.

2. The FIR has been registered against the petitioner on the statement of complainant-Rupinder Kaur levelling allegations of demand of dowry, physical and mental torture and abortion of child without her consent. Now with the intervention of respectable persons, the matter has been amicably compromised between the parties and they have resolved their disputes and differences.

3. 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 1st Class, Ludhiana stating that the compromise arrived at between the parties is without any pressure or coercion from any one and the same is genuine one.

4. Learned Assistant Advocate General, Punjab on instructions from the Investigating Officer and learned counsel for respondent No.2 admit the factum of compromise 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.

5. I have heard learned counsel for the parties and have gone through the record.

6. 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.

7. 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.0161 dated

26.12.2018 registered under Sections 406/498-A Indian Penal Code at Police Station Women, Ludhiana (Annexure P-1) and all subsequent proceedings arising out of the same are quashed qua petitioner.

(JAISHREE THAKUR)
JUDGE

February 11, 2020
Pankaj*

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