

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

**CRM-M No.40695 of 2019
Date of Decision:28.02.2020**

Satish Kumar Garg and another

...Petitioners

Versus

State of U.T., Chandigarh and another

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. K.S. Mehta, Advocate
for the petitioners.

Mr. J.S. Toor, APP, U.T., Chandigarh.

Mr. Jagdeep Singh, Advocate for
Mr. Abhimanyu Kalsi, Advocate
for respondent No.2.

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JAISHREE THAKUR, J. (ORAL)

1. This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No.4 dated 21.02.2018 under Sections 406, 498-A IPC registered at Police Station Women, Chandigarh (Annexure P-1) and all subsequent proceedings arising therefrom in view of the compromise dated 02.09.2019 (Annexure P-2) arrived at between the parties.

2. The FIR has been registered against the petitioner on the statement of complainant-Nancy levelling allegations of harassment on account of demand of dowry and physical abuse. 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 Chief Judicial Magistrate 1st Class, Chandigarh 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 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 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.4 dated

21.02.2018 under Sections 406, 498-A IPC registered at Police Station Women, Chandigarh (Annexure P-1) and all subsequent proceedings arising out of the same are quashed qua petitioners. Passport of petitioner No.2, if tagged with the judicial record will be returned to the holder against a valid receipt.

(JAISHREE THAKUR)
JUDGE

February 28, 2020
Pankaj*

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