

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.4936 of 2020 (O&M)

Date of Decision:18.08.2021

(Heard through VC)

Varinder Mehra

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Ms. Vandana Rana, Advocate
for the petitioner.

Ms. Deepshikha Chauhan, AAG, Haryana.

Mr. TPS Bhatti, Advocate for
Mr. Naveen Siwach, 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.123 dated 22.09.2015 registered under Sections 498-A, 323, 406, 34 of Indian Penal Code at Police Station Raipur Rani, District Panchkula (Annexure P-1) and all subsequent proceedings arising therefrom in view of the compromise/settlement in mutual divorce petition (Annexure P-3).

2. The FIR has been registered on the statement of complainant on the allegations of ill-treatment and harassment on account of demand of dowry at the hands of the accused-petitioner. 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, Panchkula 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, Haryana on instructions from the Investigating Officer and learned counsel for the complainant-respondent No.2 admit the factum of compromise and counsel for the respondent-State would 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.123 dated 22.09.2015 registered under Sections 498-A, 323, 406, 34 of Indian Penal Code at Police Station Raipur Rani, District Panchkula (Annexure P-1) and all subsequent proceedings arising out of the same are quashed qua petitioner.

August 18, 2021
P.Bhatt/Pankaj*

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No