

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

CRM-M No.8012 of 2021(O&M)

Date of Decision:09.08.2021

Ajay Kumar and others

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Ms. Varinder Basa, Advocate
for the petitioners.

Mr. A.S. Gill, Sr. DAG, Punjab.

Mr. Rajeshwar Singh Thakur, Advocate
for the complainant.

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JAISHREE THAKUR, J. (ORAL)

CRM No.23333 of 2021

Counsel for the petitioner seeks preponement of date of hearing
of the main case.

For the reasons mentioned in the application, the same is
allowed and the main case is taken up for hearing today itself.

CRM-M No.8012 of 2021

1. This petition has been filed under Section 482 of the Code of
Criminal Procedure seeking quashing of FIR No.7 dated 20.02.2019
registered under Section 498-A, 506, 406, 120-B, 34 of Indian Penal Code
at Police Station Tibber, District Gurdaspur (Annexure P-1) and all
subsequent proceedings arising therefrom in view of the compromise dated
14.12.2020(Annexure P-2).

2. The FIR has been registered on the statement of complainant on the allegations of ill treatment and harassment for demand of dowry at the hands of the accused-petitioners. 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 Additional Chief Judicial Magistrate, Gurdaspur 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 Senior Deputy Advocate General, Punjab 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.7 dated 20.02.2019 registered under Section 498-A, 506, 406, 120-B, 34 of Indian Penal Code at Police Station Tibber, District Gurdaspur (Annexure P-1) and all subsequent proceedings arising out of the same are quashed qua petitioners.

August 09, 2021
P.Bhatt/Pankaj*

(JAISHREE THAKUR)
JUDGE

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