

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

(Heard through VC)

CRM Nos.33709 & 33710 of 2021 in/and
CRM-M-7113-2020 (O&M)
Date of Decision: October 13, 2021

Saurabh and another

...Petitioners

Versus

State of Haryana and another

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Vivek Gupta, Advocate
for the petitioner.

Ms. Mahima Yashpal, DAG Haryana.

Mr. Achin Gupta, Advocate
for respondent No.2.

JAISHREE THAKUR, J. (Oral)

CRM-33710-2021

This is an application that has been filed seeking to prepone hearing in the main case, which is now listed for 03.12.2021.

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

CRM-33709-2021

Allowed as prayed for.

Statements and copy of order are taken on record as Annexures

P-4 to P-7, subject to all just exceptions.

CRM-M-7113-2020

This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No.45 dated 13.06.2016 registered under Sections 323, 406, 498-A, 506 and 34 of Indian Penal Code at Police Station Women, Bhiwani (Annexure P/1) and all subsequent proceedings arising therefrom in view of the compromise (Annexure P/2).

The FIR has been registered on the statement of complainant-Shilpa Gupta on the allegations that after her marriage, the accused-petitioners started harassing her for the demand of dowry. Now with the intervention of respectable persons, 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 has been received from Chief Judicial Magistrate at Bhiwani, stating that the compromise arrived at between the parties is without any pressure or coercion from anyone and the same is genuine one.

Learned State counsel, on instructions from the Investigating Officer admits to 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.

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.45 dated 13.06.2016 registered under Sections 323, 406, 498-A, 506 and 34 of Indian Penal Code at Police Station Women, Bhiwani and all subsequent proceedings arising out of the same are quashed qua the petitioners herein.

October 13, 2021

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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No