

125.

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

**CRM-25902-2021 IN/AND
CRM-M-7936-2020**

Date of Decision: 24.08.2021

(Heard through VC)

VINKAL PAL SINGH AND ORS.

.... Petitioners

Versus

STATE OF HARYANA AND ANR

.... Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

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

Ms. Mahima Yashpal, DAG, Haryana,
for respondent No.1.

Mr. M.S. Chauhan, Advocate,
for respondent No.2.

JAISHREE THAKUR.J (Oral)

CRM-25902-2021

Prayer in this application filed under Section 482 Cr.P.C. is for preponement of date of hearing of the main case, which is otherwise fixed for hearing on 17.11.2021.

For the reasons stated in the application, same is allowed and with the consent of counsel for the parties, the hearing of the main case is prepone and taken on board today itself.

CRM-M-7936-2020

1. This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No.452 dated 27.03.2017

registered under Sections 406, 498-A of Indian Penal Code at Police Station City Jagadhari, District Yamuna Nagar (Annexure P-1) and all subsequent proceedings arising therefrom in view of the compromise dated 01.10.2019 (Annexure P-2) and affidavit dated 09.10.2019 (Annexure P-3).

2. The aforesaid FIR has been registered on the statement of complainant-Gurpreet Kaur. 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.

4. In pursuance of the direction, a report has been received from Additional Chief Judicial Magistrate, Yamuna Nagar at Jagadhri stating that the compromise arrived at between the parties is genuine and has been effected voluntarily, without any coercion or undue influence.

5. Learned Deputy Advocate General, Haryana on instructions from the Investigating Officer and learned counsel for the complainant-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.

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

7. 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.

8. 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.452 dated 27.03.2017 registered under Sections 406, 498-A of Indian Penal Code at Police Station City Jagadhari, District Yamuna Nagar (Annexure P-1) and all subsequent proceedings arising out of the same are quashed qua petitioners.

(JAISHREE THAKUR)
JUDGE

24.08.2021

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Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No