

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

**CRM-23434-2021 in/and
CRM-M No.15001 of 2021 (O&M)
Date of Decision:10.08.2021
(Heard through VC)**

Dr. Nitin Kohatri

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Sumit Sharma, Advocate
for the petitioner.

Ms. Deepshikha Chauhan, AAG, Haryana.

Mr. Lokesh Sharma, Advocate
for the complainant.

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JAISHREE THAKUR, J. (ORAL)

C RM No.23434 of 2021

Prayer in the application is for preponing the date of hearing of
the main petition, which is now fixed for 27.10.2021.

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

CRM-M No.15001 of 2021

1. This petition has been filed under Section 482 of the Code of
Criminal Procedure seeking quashing of FIR No.63 dated 24.06.2020
registered under Sections 498-A, 323, 406, 506 of Indian Penal Code at
Woman Police Station Bhiwani (Annexure P-1) and all subsequent
proceedings arising therefrom in view of the compromise (Annexure P-5).

2. The FIR has been registered on the statement of complainant

on the allegations of ill-treatment and harassment at the hands of petitioner on account of 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.

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 Addl. Chief Judicial Magistrate, Bhiwani 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.63 dated 24.06.2020 registered under Sections 498-A, 323, 406, 506 of Indian Penal Code at Woman Police Station Bhiwani (Annexure P-1) and all subsequent proceedings arising out of the same are quashed qua petitioner.

August 10, 2021
P.Bhatt/Pankaj*

(JAISHREE THAKUR)
JUDGE

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