

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

**CRM-M No.16554 of 2021(O&M)
Date of Decision:25.10.2021
(Heard through VC)**

Manish Goyal and others

...Petitioners

Vs

State of Haryana and another

. ..Respondents

CORAM:HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Anshuman Dalal, Advocate
for the petitioners.

Ms. Deepshikha Chauhan, AAG, Haryana.

Mr. K.L. Saini, Advocate
for respondent No.2.

JAISHREE THAKUR J. (ORAL)

CRM Mo.34507 of 2021

Prayer in the application is for preponement of the hearing of the main case, which is now fixed for 01.11.2021 and placing on record judgment and decree dated 02.09.2021 (Annexure P-5).

For the reasons mentioned in the application, the same is allowed.

The hearing of the main case is hereby preponed and same is taken up for hearing today itself. Annexure P-5 is taken on record.

CRM-M No.16554 of 2021

1. This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No.10 dated 15.02.2020 registered under Sections 323, 406, 498-A, 506 Indian Penal Code (Sections 354, 377, 34 IPC deleted in report under Section 173 of Cr.P.C.) at Women

Police Station Bahadurgarh, District Jhajjar (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 09.03.2021 (Annexure P-2).

2. The FIR has been registered on the statement of complainant on the allegations of harassment and ill-treatment at the hands of accused-petitioners 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. Counsel for the petitioner would contend that in fact the matter has already been investigated and challan stands presented wherein Sections 354, 377, 34 IPC stands deleted. It is submitted that on account of compromise, the parties have already obtained a decree of divorce under Section 13-B of the Hindu Marriage Act wherein all payments have already been made pertaining to maintenance, future maintenance and permanent alimony.

4. 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 Judicial Magistrate 1st Class, Bahadurgarh stating that the compromise arrived at between the parties is without any pressure or coercion from any one and the same is genuine one.

5. Learned Assistant Advocate General, Haryana on instructions from the Investigating Officer and learned counsel for the respondent No.2 admit the factum of compromise. Learned counsel for the respondent-State 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.

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.10 dated 15.02.2020 registered under Sections 323, 406, 498-A, 506 Indian Penal Code (Sections 354, 377, 34 IPC deleted in report under Section 173 of Cr.P.C.) at Women Police Station Bahadurgarh, District Jhajjar (Annexure P-1) and all subsequent proceedings arising out of the same are quashed qua petitioners.

(JAISHREE THAKUR)
JUDGE

October 25, 2021

P.Bhatt

Whether speaking/reasoned Yes/No

Whether reportable Yes/No