276 IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-28244-2021 (O&M)
Date of Decision: 17.08.2021

(Heard through V.C.)

Sachin Kumar

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. S.N. Pillania, Advocate
for the petitioner.

Mr. Dhruv Sihag, A.A.G., Haryana.

Mr. Gaurav Jain, Advocate
for respondent No.2.

JAISHREE THAKUR, J. (Oral)

1. This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No.152 dated 30.03.2017 under Sections 323, 377, 406, 498-A and 506 of IPC registered at Police Station Bhiwani City, District Bhiwani and all subsequent proceedings arising therefrom in view of the compromise arrived at between the parties.

2. The aforesaid FIR has been registered on the statement of complainant on the allegations of demand of dowry and harassment. Now with the intervention of respectable persons, the matter has been amicably compromised between the parties and they have resolved their disputes and differences.

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3. Keeping in view the fact that the parties have entered into a compromise, they were directed to appear before the Illaqa 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, Bhiwani stating that the compromise arrived at between the parties is genuine, voluntary and without any pressure or coercion.

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 the counsel for the respondent-State submits 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*

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another, (2014) 6 SCC 466', this petition is allowed and FIR No.152 dated 30.03.2017 under Sections 323, 377, 406, 498-A and 506 of IPC registered at Police Station Bhiwani City, District Bhiwani and all subsequent proceedings arising out of the same are quashed *qua* petitioner.

17.08.2021 **(JAISHREE THAKUR)**
ps-I **JUDGE**

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

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