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

CRM-M No.35371 of 2021
Date of Decision:29.10.2021
(Heard through VC)

Deepak Saharan and others ...Petitioners

Vs

State of Haryana and another . ..Respondents

CORAM:HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Vikas Bishnoi, Advocate
for the petitioners.

Ms. Deepshikha Chauhan, AAG, Haryana.

Mr. Amandeep Chabra, 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.32 dated 18.05.2021 registered under Sections 323, 34, 406, 498-A, 506 Indian Penal Code at Women Police Station, District Fatehabad (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise in shape of affidavit dated 23.08.2021 (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. Keeping in view the fact that the parties have entered into a compromise, they were directed to appear before the trial court/Illaqa 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,

POONAM BHATT
2021.11.01 17:41
I attest to the accuracy of
this order

Fatehabad 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 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.

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.32 dated 18.05.2021 registered under Sections 323, 34, 406, 498-A, 506 Indian Penal Code at Women Police Station, District Fatehabad (Annexure P-1) and all subsequent proceedings arising out of the same are quashed qua petitioners.

(JAISHREE THAKUR)
JUDGE

October 29, 2021
P.Bhatt

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

POONAM BHATT
2021.11.01 17:41
I attest to the accuracy of
this order