

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

(Heard through VC)

CRM No.17720 of 2021 in/and
CRM-M-42043 of 2020 (O&M)
Date of Decision: July 15, 2021

Pargat Singh and others

...Petitioners

Versus

State of Punjab and another

...Respondent(s)

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. B.S. Chahal, Advocate
for the petitioners.

Mr. Amit Mehta, Sr. DAG Punjab.

Mr. J.S. Dhaliwal, Advocate
for complainant-respondent No.2.

JAISHREE THAKUR, J. (Oral)

CRM-17720-2021

This is an application that has been filed seeking to prepone hearing in the main case, which is now listed for 28.09.2021.

For the reasons mentioned in the application, the same is allowed. Hearing in the main case is preponed and the same is taken up for hearing today.

CRM-M-42043-2020

This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No.98 dated 09.12.2019 registered under Sections 498-A, 406 of Indian Penal Code at Police Station

Fetehgarh Churian, Tehsil Batala, District Gurdaspur (Annexure P/1) and all subsequent proceedings arising therefrom in view of the compromise (Annexure P/2).

The FIR has been registered on the statement of complainant-Manjit Kaur on the allegations that after her marriage, the accused-petitioners started harassing her for the 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.

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 First Class at Batala, stating that the compromise arrived at between the parties is without any pressure or coercion from anyone and the same is genuine one.

Learned State counsel, on instructions from the Investigating Officer admits to the factum of compromise and 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.

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

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.

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.98 dated 09.12.2019 registered under Sections 498-A, 406 of Indian Penal Code at Police Station Feteahgarh Churian, Tehsil Batala, District Gurdaspur and all subsequent proceedings arising out of the same are quashed qua the petitioners herein.

July 15, 2021

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**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned

Yes

Whether reportable

Yes/No