

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

(Heard through VC)

CRM No.2322 of 2021 in/and
CRM-M-53174 of 2019(O&M)
Date of Decision: March 12, 2021

Nikhil Sharma and others

...Petitioners

Versus

State of Haryana and another

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Karan Gupta, Advocate
for the petitioners.

Mr. G.S. Dhillon, AAG Haryana.

Ms. Mamta B. Jain, Advocate
for respondent No.2.

JAISHREE THAKUR, J. (Oral)

CRM-2322-2021

This is an application that has been filed to prepone the hearing
in the main case (CRM-M-53174-2019), which is now listed for 30.04.2021.

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

CRM-M-53174-2019

This petition has been filed under Section 482 of the Code of
Criminal Procedure seeking quashing of FIR No.58 dated 18.04.2017
registered under Sections 498-A, 506 of Indian Penal Code (Sections 323

and 406 of IPC added later on) at Police Station Women, Jhajjar (Annexure P/1) and all subsequent proceedings arising therefrom in view of the compromise (Annexure P/5).

The FIR has been registered on the statement of complainant-Richa Sharma 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 Jhajjar, 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.58 dated 18.04.2017 registered under Sections 498-A, 506 of Indian Penal Code (Sections 323 and 406 of IPC added later on) at Police Station Women, Jhajjar and all subsequent proceedings arising out of the same are quashed qua the petitioners herein.

March 12, 2021

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**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned

Yes

Whether reportable

Yes/No