

**134+298      IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH**

**CRM-45579-2023 in/and  
CRM-M-5797-2022  
Date of decision: 06.12.2023**

**DEEPAK KUMAR AND ANOTHER**

**...PETITIONERS**

**V/S**

**STATE OF PUNJAB AND ANOTHER**

**...RESPONDENTS**

**CORAM:    HON'BLE MR. JUSTICE HARPREET SINGH BRAR**

Present:      None for the petitioners.

Mr. Madhur Sharma, AAG, Punjab.

None for respondent No.2.

**\*\*\*\***

**HARPREET SINGH BRAR J. (ORAL)**

**CRM-45579-2023**

At the very outset, learned counsel for the applicants/petitioners wishes to withdraw the present application as the main case is listed for today.

Application stands dismissed as withdrawn.

**MAIN CASE**

This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No. 08 dated 29.01.2018 registered under Sections 498-A and 406 of Indian Penal Code at Police Station City-2, Mansa, District Mansa and all subsequent proceedings arising therefrom in view of the compromise deed dated 04.12.2021 (Annexure P-2).

2.            The FIR registered on the statement of complainant-respondent No.2 that earlier, she had got registered a complaint with the Women Cell against her husband-petitioner No.1, mother in law-petitioner No.2 and sister-in-law but the matter was compromised with the intervention of *panchayat* and

she started living with her in-laws. However, her in-laws again started harassing her mentally by saying that they would only bring her back if she would not register FIR against them. 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/Illaq Magistrate for getting their statements recorded in support of the compromise. In pursuance of the direction, a report dated 31.03.2023 has been received from Chief Judicial Magistrate, Mansa 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, Punjab on instructions from the Investigating Officer admitted the factum of compromise. However, there is no representation on behalf of parties, but the report qua the compromise has been received. Learned State counsel submitted 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 gone through the record with the able assistance of learned State counsel.

6. The parties have arrived at a compromise and settled their dispute. 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

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exercise in futility, as the chances of ultimate conviction are bleak. A two Judge Bench of the Hon'ble Supreme Court in ***Shakunta Sawhney (Mrs) Vs. Kaushalya (Mrs.) and others (1980) 1 SCC 63***, speaking through Justice V.R. Krishna Iyer, has held as under:-

*“4. ....The finest hour of justice arrives propitiously when parties, despite falling apart, bury the hatchet and weave a sense of fellowship or reunion.....”*

7. A perusal of the report sent by Chief Judicial Magistrate, Mansa, indicates that respondent No.2, who is the complainant in the present FIR has made the statement in terms of the compromise effected between the parties.

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 and Ramgopal and another Vs. State of Madhya Pradesh 2021 SCC OnLine SC 834*** and Full Bench of this Court in ***Kulwinder Singh Vs. State of Punjab 2007 (3) RCR (Crl.) 1052***, this petition is allowed and FIR No. 08 dated 29.01.2018 registered under Sections 498-A and 406 of Indian Penal Code at Police Station City-2, Mansa, District Mansa and all subsequent proceedings arising out of the same are quashed qua the petitioners only.

(HARPREET SINGH BRAR)  
JUDGE

December 06, 2023  
manisha

|      |                           |        |
|------|---------------------------|--------|
| (i)  | Whether speaking/reasoned | Yes/No |
| (ii) | Whether reportable        | Yes/No |