

299 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-36355-2023
Date of decision: 06.12.2023

RAVINANDAN DUBEY AND OTHERS

...PETITIONERS

V/S

STATE OF HARYANA AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Saransh Sabharwal, Advocate
for the petitioners.

Mr. Vikash Bhardwaj, AAG, Haryana.

Mr. J.S. Grewal, Advocate for
Mr. A.P. Singh, Advocate for respondent No.2.

HARPREET SINGH BRAR J. (ORAL)

1. This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No. 561 dated 06.12.2019 registered under Sections 323, 406, 498-A of Indian Penal Code at Police Station Panchkula Sector 5, District Panchkula and all subsequent proceedings arising therefrom in view of the compromise deed dated 08.06.2023 (Annexure P-2).

2. The FIR registered on the statement of complainant-respondent No.2 that she got married to petitioner No.1 on 15.04.2012 and on account of marriage, valuable articles and gold ornaments were given. At that time, the petitioner No.1 was suffering from low testosterone (impotency) and neurological disorder and to conceal that problem in matrimonial life, petitioner No.1 used to beat the complainant and used to abuse her and since the very beginning of

marriage, in-laws of complainant were greedy and cruel person and on 17.10.2018, petitioner No.1 asked the complainant to leave his house and thereafter on 31.10.2018, a meeting held between the parties and the compromise effected but when complainant went back to her in-laws house, petitioner No.1 again threatened to kill her and gave her beatings. 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 28.09.2023 has been received from Chief Judicial Magistrate, Panchkula 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 respondent No. 2 admitted the factum of compromise and 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 heard learned counsel for the parties and have gone through the record with their able assistance.

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 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, Panchkula, 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.561 dated 06.12.2019 registered under Sections 323, 406, 498-A of Indian Penal Code at Police Station Panchkula Sector 5, District Panchkula and all subsequent proceedings arising out of the same are quashed qua the petitioners only.

(HARPREET SINGH BRAR)
JUDGE

December 06, 2023
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| (i) | Whether speaking/reasoned | Yes/No |
| (ii) | Whether reportable | Yes/No |