

CRM-9410-2024 in/and
CRM-M-20130-2018 (O&M)
Date of decision: 12.03.2024

Nishan Singh and anotherPetitioners

Versus

State of Punjab and another ...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Nakul Sharma, Advocate
for the applicant/petitioners.

Mr. Subhash Godara, Addl.A.G., Punjab.

Mr. Om Malhan, Advocate
for respondent No.2.

HARPREET SINGH BRAR, J. (ORAL)

CRM-9410-2024

The present application has been filed under Section 482 Cr.P.C. for placing on record the affidavit executed by petitioner No.1-Nishan Singh undertaking that he will take care and protect his son, namely, Sukhmanpreet Singh, who is living with him and transfer deed dated 20.02.2024, whereby, petitioner No.1 transferred 03 kanal 0 marla of land in the name of his son as Annexure P-4 as well as for grant of exemption from filing certified/true typed/translated copy of Annexure P-4.

In view of the averments made in the application, the same is allowed and the requisite affidavit is taken on record subject to all just exceptions and the applicant/petitioner is exempted from filing certified/true typed/translated copy of Annexure P-4.

**CRM-9410-2024 in/and
CRM-M-20130-2018 (O&M)**

-2-

CRM-M-20130-2018 (O&M)

The present petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.12 dated 30.03.2015 (Annexure P-1) under Sections 494/420 of IPC registered at Police Station Women Cell Ferozepur, District Ferozepur as well as other subsequent proceedings arising therefrom on the basis of compromise (Annexure P-2).

2. Learned counsel for the petitioners submits that in compliance of order dated 15.11.2019, the petitioner has already transferred the entire land owned by him i.e. 03 kanals situated in Village Kasu Begu Tehsil and District Ferozepur vide transfer deed dated 19.02.2024 registered on 20.02.2024 (Annexure P-4) in favour of his son, namely Sukhmanpreet Singh and it is further contended that son and mother-in-law of the petitioner are staying with him in his house and he undertakes to take care of his son till he attains majority.

3. The FIR has been registered on the complaint of Harmanjit Kaur (now deceased), daughter of respondent No.2 on the allegations that the accused persons i.e. her husband and her in-laws harassed her 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.

4. 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 the learned Chief Judicial Magistrate, Ferozepur, stating that the compromise arrived at between

**CRM-9410-2024 in/and
CRM-M-20130-2018 (O&M)**

-3-

the parties is without any pressure or coercion from any one and the same is genuine one.

5. The learned State counsel on instructions from the Investigating Officer and learned counsel for the complainant-respondent No.2 admit the factum of compromise and submit 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.

6. I have heard learned counsel for the parties and have gone through the record with their able assistance.

7. In a decision, based on compromise, 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.....”

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

CRM-9410-2024 in/and
CRM-M-20130-2018 (O&M)

-4-

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.12 dated 30.03.2015 (Annexure P-1) under Sections 494/420 of IPC registered at Police Station Women Cell Ferozepur, District Ferozepur and all subsequent proceedings arising out of the same are quashed *qua* petitioners.

(HARPREET SINGH BRAR)
JUDGE

12.03.2024
Neha

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