

(2018) 09 P&H CK 0024

In the Punjab And Haryana At Chandigarh

Case No : Criminal Miscellaneous Main No. 29353 of 2018

Bhupinder Singh and others

APPELLANT

Vs

State of Punjab and another

RESPONDENT

Date of Decision : 06-09-2018

Acts Referred:

Code of Criminal Procedure, 1973 — Section 482

Indian Penal Code, 1860 — Section 365, 511, 452, 427, 506, 498A, 323

Citation : (2018) 09 P&H CK 0024

Hon'ble Judges : Jaishree Thakur, J

Bench : Single Bench

Advocate : Vivek Singla, Vivek Salathia, Rajni Gupta, Shubham Mehta, Vikas Gupta

Final Decision : Disposed off

Judgement

This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No.28 dated 22.03.2018 registered under

Sections 365, 511, 452, 427, 506, 498-A, 323 of Indian Penal Code at Police Station Kalanaur (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-Gurpreet 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 Ist

Class at Gurdaspur, stating that the compromise arrived at between the parties is without any pressure or coercion from any one and the same is

genuine one.

Learned State counsel, on instructions from the Investigating Officer and learned counsel for the complainant-respondent No.2 admit to 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.

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.28 dated 22.03.2018 registered

under Sections 365, 511, 452, 427, 506, 498-A, 323 of Indian Penal Code at Police Station Kalanaur and all subsequent proceedings arising out of the

same are quashed qua the petitioner(s) herein.

The petition stands disposed of.