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**(2010) 08 P&H CK 0329**  
**In the Punjab And Haryana At Chandigarh**

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|-----------------------------|----|------------|
| Ravi and Others             | Vs | APPELLANT  |
| State of Haryana and Others |    | RESPONDENT |

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**Date of Decision :** 26-08-2010

**Acts Referred:**

Criminal Procedure Code, 1973 (CrPC) — Section 482  
Penal Code, 1860 (IPC) — Section 323, 406, 498A

**Citation :** (2010) 08 P&H CK 0329

**Hon'ble Judges :** Nirmaljit Kaur, J

**Bench :** Single Bench

**Final Decision :** Allowed

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## Judgement

Nirmaljit Kaur, J.—This is a petition u/s 482 Cr.P.C. for quashing of FIR No. 123 dated 15.05.2002 under Sections 498-A, 406, 323 of Indian Penal Code, PS Bahadurgarh was got registered by respondent No. 4 - Rajender Singh against the present petitioners on the basis of the compromise arrived at between the parties before the Counselling Cell, Family Courts, Dwarka Court, New Delhi dated 13.04.2010. Copy of the same is placed on record as Annexures P-2 and 3. A separate statement of complainant Rajender Singh (respondent No. 4) father of respondents No. 2 and 3 is also got recorded in the Court stating therein that the matter has been compromised between his daughters with their husbands before the counselling Cell, Family Courts, Dwarka Court, New Delhi as per settlement dated 13.04.2010 and he no objection if the FIR is quashed.

2. In the present case, the FIR was lodged by respondent No. 4 on behalf of his daughters respondent Nos. 2 and 3 against their husbands and other family member of their in-laws. Now, with the intervention of the respectables, the petitioners and respondents No. 2 and 3 have entered into a settlement before Counselling Cell Family Courts, Dwarka Courts, New Delhi on 13.04.2010.

3. Respondents No. 2 and 3 have also got recorded their statements in Court today stating therein that the matter has been compromised with their husbands and the entire amount as mentioned in para 3 of the settlement i.e. ` 1,00,000/-

each in the shape of demand drafts in their favour and two FDRs for a sum of `1,00,000/- each in the name of their minor children have been received by them. They have no objection if the present FIR is quashed.

4. Similarly, petitioners No. 1 and 2 i.e. husbands of respondents No. 2 and 3 have also got recorded their statements before this Court stating therein that they shall be bound by the terms and conditions of the settlement arrived at between respondents No. 2 and 3 before Counselling Cell Family Courts, Dwarka Courts, New Delhi on 13.04.2010.

5. The Full Bench of this Court in the case of Kulwinder Singh and Ors. v. State of Punjab and Anr. 2007 (3) RCR (Criminal) 1052 has observed as under:

The compromise, in a modern society, is the sine qua non of harmony and orderly behaviour. It is the soul of justice and if the power u/s 482 of the Cr.P.C. is used to enhance such a compromise which, in turn, enhances the social amity and reduced friction, then it truly is finest hour of justice. Disputes which have their genesis in a matrimonial discord, landlord-tenant matters, commercial transactions and other such matters can safely be dealt with by the court exercising its power u/s 482 of the Cr.P.C in the event of a compromise, but this is not to say power is limited to such cases. There can never be any such rigid Rules to prescribe the exercise of such power.

6. The Apex Court in the case of Madan Mohan Abbot Vs. State of Punjab, emphasised in para No. 6 as follows:

6. We need to emphasize that it is perhaps advisable that in disputes where the question involved is of a purely personal nature, the Court should ordinarily accept the terms of the compromise even in criminal proceedings as keeping the matter alive with no possibility of a result in favour of the prosecution is a luxury which the Courts, grossly overburdened as they are, cannot afford and that the time so saved can be utilised in deciding more effective and meaningful litigation. This is a common sense approach to the matter based on ground of realities and bereft of the technicalities of the law.

7. Taking into account the allegations, statements of respondents 2 to 4, petitioners No. 1 and 2 as well as the settlement arrived at between the parties before the Counselling Cell Family Courts, Dwarka, Courts, New Delhi dated 13.04.2010, there is no impediment in the way of this Court to quash the present FIR and subsequent proceedings arising out of the same in view of the said settled proposition of law.

8. Accordingly, the present petition is allowed and FIR No. 123 dated 15.05.2002 under Sections 498-A, 406, 323 of Indian Penal Code, PS Bahadurgarh and further proceedings arising out of the same are hereby quashed.