

Indian Penal Code, 1860 (XV of 1860), S. 498-A – Settlement between the parties, maintaining of conviction of the appellant of the offence under Section 498-A IPC would not be securing the ends of justice – Parties resolved the marital discord and were residing together while enjoying a happy conjugal life – Husband was working in the Army as Naik – During pendency of revision petition before High Court – Sanction granted by the competent authority for dismissal of the appellant from his military service for having been convicted of the offence under Section 498-A IPC – Appellant-Husband and the wife entered into settlement and resolved all their disputes – High court observed that continuance of the proceedings might lead to disharmony but then, merely ordered modification of sentence to the period of imprisonment already undergone by the appellant while affirming his conviction – High Court, while disposing of the revision did not pause to consider that maintaining of conviction of the appellant of the offence under Section 498-A IPC would not be securing the ends of justice and with such conviction being maintained and the appellant losing his job, the family would again land itself in financial distress which may ultimately operate adverse to the harmony and happy conjugal life of the parties- High Court should have accepted the settlement and quashed all the proceedings with annulment of the orders against the appellant – The High Court having not done so, we are inclined to adopt this course so as to secure the ends of justice.

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