

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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Criminal Misc. No.M-10984 of 2014
Date of Decision: 12th January, 2015

Surinder Singh @ Chinda

....Petitioner

Versus

State of Punjab and another

....Respondents

CORAM: Hon'ble Mrs. Justice Daya Chaudhary

- 1. Whether reporters of local newspapers may be allowed to see judgment?**
- 2. To be referred to reporters or not?**
- 3. Whether the judgment should be reported in the Digest?**

Present: Mr. Sandeep Chopra, Advocate
for the petitioner.

Mr. Neeraj Sharma, A.A.G., Punjab.

Mr. Gulzar Mohd., Advocate
for respondent No.2/complainant.

DAYA CHAUDHARY, J.(Oral)

The present petition under Section 482 Cr.P.C. has been filed on behalf of petitioner, namely, Surinder Singh @ Chinda for quashing of FIR No. 200 dated 31.07.2008, registered under Sections 498-A,406 of IPC, at Police Station Maqsudan, District Jalandhar, on the basis of compromise arrived at between the parties.

Learned counsel for the petitioner submits that the dispute between the parties has been settled by way of compromise.

A petition under Section 13-B of Hindu Marriage Act filed before the trial Court, has also been allowed and decree of divorce dissolving marriage between the parties by way of mutual consent under Section 13-B of Hindu Marriage Act has been passed.

Learned counsel for respondent No.2/complainant has also affirmed the factum of compromise.

Notice of motion was issued on 31.03.2014. The parties were directed to appear before the trial Court on 15.09.2014 for recording of their statements with regard to compromise. The trial Court was also directed to send a report with regard to compromise as to whether the compromise arrived at between the parties is genuine and without any pressure from either side.

In compliance of order dated 15.09.2014, learned Judicial Magistrate 1st Class, Jalandhar has sent a report wherein the complainant has specifically stated that she has no objection in quashing of the FIR. It has also been mentioned in the report that the amount settled in the compromise has been paid to her in installments and now there is no amount outstanding against the petitioner. Learned counsel for respondent No.2 further submits that the petition under Section 13-B of Hindu Marriage Act was also filed before the trial Court, which was allowed and divorce has been granted.

After hearing learned counsel for the parties and on perusal of the statements recorded by the trial Court, it is clear that the dispute between the parties has been settled. The petition filed under Section 13-B of the Hindu Marriage Act has already been

allowed and the amount settled between the parties has also been paid to the complainant as per terms and conditions of the compromise.

Since it is a matrimonial dispute, which has been settled by way of compromise; complainant-respondent No.2 has no objection in quashing of the FIR on the basis of compromise; divorce has already been granted under Section 13-B of Hindu Marriage Act by the trial Court, the present petition is allowed and FIR No. 200 dated 31.07.2008, registered under Sections 498-A,406 of IPC, at Police Station Maqsudan, District Jalandhar as well as all subsequent proceedings arising therefrom qua Surinder Singh @ Chinda are quashed.

12.01.2015
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(DAYA CHAUDHARY)
JUDGE