

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No. 1658 of 2015 (O&M)
Date of decision: - 28.7.2015

Sumit

.....Petitioner.

vs.

State of Haryana and another Respondents.

CORAM: - HON'BLE MS. JUSTICE ANITA CHAUDHRY

Present: - Mr. S.S. Momi, Advcoate for the petitioner.

Mr. G.S. Salwara, DAG, Haryana

None for respondent No. 2

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Anita Chaudhry, J. (Oral)

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Learned State Counsel has filed reply on behalf of respondent No. 1. The same is taken on record.

The instant petition is for quashing of FIR No. 7 dated 10.1.2010 registered under Section 498-A, 406 and 506 IPC, Police Station Bawani Khera and the consequent proceedings arising out of the same, on the basis of written compromise arrived at between the parties.

Learned counsel for the petitioner refers to an appeal bearing FAO No. 1584 of 2012 (O&M), Sumit vs. Neelam filed by the petitioner for dissolution of marriage which was disposed of on 16.1.2015 and decree of divorce was passed under Section 13-B of the Hindu Marriage Act. Copy of the order dated 16.1.2015 has been

filed in the Court today and the same is permitted to be taken on record.

Report has been received from the lower Appellate Court after statements of the parties were recorded regarding the compromise. The lower Appellate Court has reported that the compromise is genuine and has also sent copy of the statements of parties.

Learned counsel for the State on instructions submits that petitioner is the only accused and respondent no.2 is the only aggrieved person in this FIR.

No useful purpose would be served to keep the FIR pending.

In view of the statements and report of the lower Appellate Court and the principles laid down by the Full Bench judgment of this Court in **Kulwinder Singh and others Vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052**, approved by Hon'ble Apex Court in **Gian Singh Vs. State of Punjab and others (2012) 10 SCC 303**, the instant petition is allowed and the aforesaid FIR and all consequent proceedings conducted on the basis thereof are quashed.

Needless to say that parties shall remain bound by the terms of compromise and their statements made in the Court below.

(ANITA CHAUDHRY)
JUDGE

28.7.2015
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