

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

**CRM No.M-1987 of 2015
Date of Decision: 24.08.2015**

Gagandeep Singh Heera and others

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE R.P. NAGRATH

Present: Mr. Mandeep Kaushik, Advocate for
Mr. Paras Talwar, Advocate
for the petitioners.

Mr. Gurveer Sidhu, AAG, Punjab.

Mr. Sandeep Vermani, Advocate &
Mr. G.S. Chhina, Advocate
for respondent No.2.

R.P. NAGRATH, J. (ORAL)

The instant petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.109 dated 20.05.2014 for offences under Sections 406 and 498-A of Indian Penal Code (IPC) read with Section 66 of Information Technology Act, 2000, registered at Police Station Sarabha Nagar, Ludhiana, District Ludhinana, on the basis of compromise.

Initially the parties were directed to appear before the trial Court for recording their statements on the basis of compromise. The report was received and it was intimated that the petition for divorce for mutual consent is pending for 30.07.2015 for second motion. In deference to order dated 16.03.2015, the parties made further statements before the

Matrimonial Court and the report has been received that the decree of divorce by mutual consent has since been passed and amount as settled between the parties has been paid to the complainant by way of demand draft. As per the compromise, Matrimonial Court has reported that there is nothing outstanding between the parties.

No useful purpose would be served in continuing with the proceedings in this case in view of the compromise arrived at between them.

Following the principles laid down by the Full Bench judgement of this Court in ***Kulwinder Singh and others v. State of Punjab and another, 2007 (3) RCR (Criminal) 1052 (P&H)*** and approved by the Hon'ble Supreme Court in ***Gian Singh Vs. State of Punjab and others, (2012)10 SCC 303***, this petition is allowed and FIR No.109 dated 20.05.2014, under Sections 406 and 498-A of Indian Penal Code (IPC) read with Section 66 of Information Technology Act, 2000, registered at Police Station Sarabha Nagar, Ludhiana, District Ludhinana and the subsequent proceedings conducted on the basis thereof, are quashed.

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

24.08.2015

Bhumika

(R.P. NAGRATH)
JUDGE