

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.**

Crl. Misc. No.M-23423 of 2014

Date of Decision: 06.02.2015

Lalit Kumar Luthra and others

....Petitioners

Versus

State of Haryana and another

....Respondents

BEFORE :- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- Mr. A.S. Rishi, Advocate
for the petitioners.

Mr. Deepak Sabharwal, Addl.A.G., Haryana
for the respondent-State.

Mr. H.P.S. Bhinder, Advocate
for Mr. Robin Dutt, Advocate
for respondent No.2.

DAYA CHAUDHARY, J. (ORAL)

Petitioners, namely, Lalit Kumar Luthra, Harish Kumar Luthra and Suraksha Devi have approached this Court by way of filing the present petition under Section 482 Cr.P.C for quashing of FIR No.207 dated 13.06.2012 registered under Sections 498-A/406/323/506 IPC at Police Station Jagadhari City, District Yamunanagar on the basis of compromise arrived at between the parties.

Learned counsel for the petitioners submits that the dispute between the parties has been settled by way of compromise and a memorandum of understanding was signed by both the parties, wherein, certain terms and conditions have been mentioned. Learned counsel also submits that a petition under Section 13-B of the Hindu Marriage Act has also been filed, wherein, statements of 1st and 2nd motion have already

been recorded.

As per directions issued by this Court on 04.11.2014, the statements of the petitioners as well as complainant were recorded before the Additional Chief Judicial Magistrate, Yamuna Nagar at Jagadhri, wherein, the factum of compromise has been affirmed. Respondent no.2-complainant Shipra has stated in her statement that she has received an amount of ₹ 10 lacs and the remaining amount of ₹ 11 lacs is to be paid to her by way of demand draft.

Learned counsel for the petitioners submits that he has brought two demand drafts bearing Nos.767289 and 767290, amounting to ₹ 9 lacs and ₹ 2 lacs, respectively and the same have been handed over to learned counsel appearing on behalf of respondent No.2. The photocopies of the said demand drafts have been placed on record.

A perusal of memorandum of understanding/settlement shows that an amount of ₹ 11 lacs is to be deposited by petitioner No.1 in fixed deposit in the name of minor daughter of the complainant/respondent No.2 and the same is to be encashed only on attaining the age of majority.

Learned counsel for respondent No.2, after receiving the said two demand drafts, amounting to ₹ 9 lacs and ₹ 2 lacs, from learned counsel for the petitioner today in the Court, undertakes, on instructions from complainant-respondent No.2, that the same will be deposited in the account of minor daughter of respondent No.2 in fixed deposit and the same shall not be encashed till she attains the age of majority.

Learned counsel for respondent No.2 submits that respondent No.2 is satisfied with the compromise as the amount settled in the compromise has been received by her and now she has no objection in quashing of FIR as well as other proceedings arising therefrom.

In view of the submissions made by learned counsel for the

petitioners as well as learned counsel for respondent No.2 and also the undertaking given by learned counsel appearing on behalf of respondent No.2 on instructions from respondent No.2, the present petition is allowed and FIR No.207 dated 13.06.2012 registered under Sections 498-A/406/323/506 IPC at Police Station Jagadhari City, District Yamunanagar along with all subsequent proceedings arising therefrom, qua petitioners, namely, Lalit Kumar Luthra, Harish Kumar Luthra and Suraksha Devi are hereby quashed.

06.02.2015
gurpreet

(DAYA CHAUDHARY)
JUDGE