

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

**CRM No.M-27030 of 2015
Date of Decision: October 15, 2015**

Atma Ram and others

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE NARESH KUMAR SANGHI

Present: Mr. Kawaljyot Singh, Advocate,
for the petitioners.

Mr. P.S. Ghuman, Addl. AG, Punjab,
for respondent No.1.

Mr. Charanpreet Singh, Advocate,
for respondent No.2/informant.

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

NARESH KUMAR SANGHI, J

Prayer in this petition, filed under Section 482, Cr.P.C., is for quashing of FIR No.98, dated 30.07.2014, (Annexure P-1) for the offences punishable under Sections 406 and 498-A, IPC, registered at Police Station, Bhogpur, District, Jalandhar, as well as the order dated 18.02.2015 (Annexure P-2) and all the consequential proceedings arising therefrom, on the basis of compromise (Annexure P-3)

Vide order dated 13.08.2015, passed by this Court, the affected parties were directed to appear before the learned trial Court, for getting their respective statements recorded with regard to the compromise and the said Court was also directed to send the copies of the statements and its detailed report in that regard.

In compliance of the above, the petitioners as well as respondent No.2/Informant-Amandeep Kaur did appear before the Court below and got recorded their respective statements. The copies of the statements as well as the report have been received from learned Judicial Magistrate First Class, Jalandhar.

Respondent No.2/Informant-Amandeep Kaur suffered the following statement:

“Stated that as per the compromise dated 01.07.2015, I do not want to proceed with the present case. The said compromise is of my own will i.e. without any coercion pressure or undue influence effected upon me. I abide by all the terms and conditions enticed upon the said compromise. I have no objection if as per the compromise, FIR No.98 dated 30.07.2014 u/s 406/498-A IPC PS Adampur District Jalandhar is quashed and all the accused namely Atma Ram son of Karam Chand, Vidya Devi wife of Atma Ram and Mandeep Kumar son of Atma Ram are acquitted by the hon'ble court. I shall abide by the terms and conditions of the compromise dated 01.07.2015. The said compromise is enclosed and is annexed as ExC1 which bears my signatures/thumb impression. I have placed on record my identity proof i.e. copy of my driving license (Original seen and returned).”

Similar statements were suffered by the petitioners.

The operative part of the report received from the learned Court below is as under:

“The undersigned has also verified above stated facts from the parties and is satisfied that parties have compromised the matter with their free consent, sweet will, without any threat, pressure or undue influence. So, accordingly, the report of undersigned, is hereby, submitted. The original statements of parties alongwith report be sent herewith for kind perusal of Hon'ble High Court in this case.”

Learned counsel for respondent No.2-informant has also admitted the factum of compromise and has no objection if the impugned FIR and the consequential proceedings arising therefrom, are quashed, on the basis of compromise. He further submits that as a result of the compromise effected between the parties, a petition under Section 13B of the Hindu Marriage Act, 1955, was presented before the learned District Judge, Jalandhar, the first motion has already been issued and the case is now fixed for second motion. It has also been pointed out that a sum of ₹50,000/- (Rupees fifty thousand only) has been paid in cash to respondent No.2-informant and the remaining sum of ₹2,00,000/- (Rupees two lacs only) shall be paid to her (respondent No.2) by the petitioners at the time of second motion.

Learned counsel for the State, on instructions from ASI-Sukhjot Singh of Police Station, Bhogpur, District Jalandhar, has also admitted the factum of compromise and has no objection if the present matrimonial dispute is terminated on the basis of

compromise.

After hearing learned counsel for the parties and going through the copies of the statements of the parties and the report received from the learned trial Court as well as the stand taken by the learned counsel for respondent No.2-informant, present petition is accepted and FIR No.98, dated 30.07.2014 (Annexure P-1), for the offences punishable under Sections 406 and 498-A, IPC, registered at Police Station, Bhogpur, District, Jalandhar, as well as the order dated 18.02.2015 (Annexure P-2) and all the consequential proceedings arising therefrom, are hereby quashed.

(NARESH KUMAR SANGHI)
JUDGE

15.10.2015

Bhumika