

IN THE HIGH COURT OF PUNJAB AND HARYANA,
AT CHANDIGARH

239

CRM-M-30341 of 2015

Decided on : 28.11.2015

Deepak Sethi

... Petitioner

Versus

State of Punjab and another

.. Respondents

CORAM : HON'BLE MR.JUSTICE M.M.S.BEDI

Present : Mr.Shashi Kant Gupta, Advocate
for the petitioner.

Mr.Jashanpreet Singh, AAG, Punjab.

Ms.Jasneet Mehra, Advocate for respondent No.2.

M.M.S.Bedi, J. (Oral)

Petitioner seeks quashing of FIR No.267 dated 18.08.2014, under Sections 406/498-A, IPC registered at Police Station Zirakpur, District SAS Nagar, Mohali and all the consequential proceedings emanating therefrom on the basis of compromise.

The FIR was registered at the instance of respondent No.2- Ripan Kumari alleging that she was maltreated and tortured by the petitioner and his family members. After investigation, challan was presented against the petitioner only.

The matter has been compromised and the statements of the parties have been recorded by the trial court. The parties have decided to part company on payment of lump sum amount of Rs.4 lacs. A sum of Rs.2,00,000/- stood already paid whereas a sum of Rs.1 lac has been paid today by way of bank draft. The remaining amount of Rs.1 lac is to be paid on 30.11.2015 at the

time of finalization of the divorce proceedings on mutual consent.

In view of above circumstances, following the judgment of Full Bench of this Court in ***Kulwinder Singh and others Vs. State of Punjab, 2007(3) RCR (Crl.), 1052***, this petition is allowed. The above said FIR and all the subsequent proceedings emanating therefrom are hereby quashed on the basis of compromise subject to the condition that the petitioner will positively pay the remaining amount of Rs.1 lac to the complainant on 30.11.2015. In case of non-compliance of any of the terms of the compromise, it will be open to the complainant to seek revival of the criminal case .

[M.M.S.Bedi]
Judge

28.11.2015
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