

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

CrI. Misc. No. M-43634 of 2014

Date of decision : 27.02.2015

Tejinder SinghPetitioner

versus

State of Punjab & another ...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. G.S. Thind, Advocate for the petitioners.

Mr. D.S. Virk, AAG, Punjab.

RITU BAHRI, J. (Oral)

Quashing of the FIR No.91 dated 04.06.2014 Sections 498-A IPC, registered at Police Station City Sunam District Sangrur (Annexure P-1) and its consequential proceedings on the basis of compromise dated 02.09.2014 (Annexure P-2), is being sought.

The FIR was registered on a statement made by Sundri Sikka-respondent No.2/complainant with the allegations that marriage of the complainant was solemnised with one Narinder Singh son of Kartar Singh and out of this wedlock two sons namely Aashu and Anmol were born. But after that being strained relations with Narinder Singh, a panchayati divorce was effected and as per settlement son Aashu was remained with Narinder Singh and Anmol remained with the complainant and is still living with the complainant. After this, the complainant started living with her sister at Sunam as her parents were died. On 06.06.2011, complainant solemnised marriage with Tejinder Singh-petitioner, who accepted complainant's

son Anmol as his son. Thereafter, parents of the Tejinder Singh-petitioner were not happy with this marriage but after sometime they agreed to this marriage. From this marriage, a daughter namely Himanaya was born. But the parents of Tejinder Singh-petitioner were not happy and they used to taunt her. In this background, FIR was lodged.

After registration of the FIR, the dispute has now been amicably resolved between the parties and as per the compromise (Annexure P-2).

In compliance of the order dated 22.12.2014, status report has been received from the Sub Divisional Judicial Magistrate, Sunam (Sangrur) and the statement of accused as well as statement of the complainant has been recorded. They have been identified by the Investigating Officer ASI Hans Raj 444 Sangrur. Statement of ASI Hans Raj has been recorded. Copy of the compromise deed is Ex.C1. As per statement of the ASI Hans Raj both the complainant and the petitioner are residing in the same house as husband and wife. They have compromised the matter without any pressure and coercion. Statement of the complainant has been recorded on 27.01.2015 and she has no objection if the present FIR is quashed.

Consequently, in view of the status report and in view of the judgment of the Hon'ble Supreme Court in the case of **Madan Mohan Abbot vs. State of Punjab 2008(2) RCR (Criminal) 429**, the law laid down by the Full Bench of this Court in the case of

Kulwinder Singh and Ors. vs. State of Punjab and another 2007(3)

RCR (Crl.) 1052, no useful purpose would be served in prolonging the litigation.

Accordingly, FIR No.91 dated 04.06.2014 Sections 498-A IPC, registered at Police Station City Sunam District Sangrur (Annexure P-1), is quashed with all consequential proceedings arising therefrom qua petitioners.

The petition stands disposed of qua petitioners.

27.02.2015
Vinay

(RITU BAHRI)
JUDGE