

In the High Court of Punjab and Haryana at Chandigarh

**CRM-M-5686 of 2015
Date of Decision: 20.02.2015**

Sudhir Singh Saran and others

---Petitioners

versus

State of Haryana and another

---Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

**Present: Mr. Vikas Lochab, Advocate
for the petitioners**

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

REKHA MITTAL, J.

The petitioners have prayed for quashing of FIR No. 290 dated 12.4.2013 registered at Police Station, City Jind, District Jind for offence punishable unde Sections 498-A, 406, 323, 452, 506 read with Section 34 of the Indian Penal Code (in short “IPC”) on the basis of compromise (Annexures P-2).

Notice of motion.

Mr. Rajesh Gaur, Addl. A.G.Haryana and Mr. Ashok Kumar Sharma, Advocate accept notice on behalf of respondent No. 1 and 2 respectively.

In the instant case, the FIR was registered on the statement of respondent No.2-complainant Suman @ Suman Kandola. Now the matter

has been amicably settled between the parties.

Respondent No.2-complainant is present in Court with her counsel Mr.Ashok Kumr Sharma, Advocate. Affidavit of respondent No.2 filed in Court is taken on record. Her statement was recorded in the Court. An extract from her statement is quoted thus:-

“I am the author of FIR No. 290 dated 12.4.2013 registered at Police Station, City Jind, District Jind for offence punishable unde Sections 498-A, 406, 323, 452, 506 read with Section 34 of the Indian Penal Code. The entire dispute between me and my husband and his family members has been settled by way of compromise effected between the parties. As per the agreement, my husband has to pay me Rs. 15 Lakhs towards my claim in regard to dowry articles, maintenance, permanent alimony etc. Out of the settled amount of Rs. 15 Lakhs, I received an amount of Rs. 5 Lakhs at the time of disposal of bail application, another amount of Rs. 5 Lakhs has been paid to me today in the court by way of demand draft and the remaining amount of Rs. 5 Lakhs shall be payable to me at the time of recording of statements of the parties in the second motion in the petition for divorce by way of mutual consent under Section 13-B of the Hindu Marriage Act. I have filed my affidavit in the court which may be read as part of my statement. I do not have any objection if the aforesaid FIR and proceedings emanating therefrom are quashed even before decision of the petition under Section 13-B of the Hindu

Marriage Act. .”

Counsel for the petitioners submits that as the parties have amicably settled their differences, no useful purpose would be served by continuation of the criminal proceedings.

Mr. Rajesh Gaur, Addl. A.G.Haryana and counsel for respondent No. 2 have not disputed contention of the petitioners that the parties have arrived at an amicable settlement.

I have heard counsel for the parties and perused the records.

There is nothing on record to doubt correctness of the compromise effected between the parties, whereby they have decided to settle their dispute with an intention to live in peace and harmony. The present case falls in the category of cases, which can be allowed to be settled by way of compromise, in view of the decision of Hon'ble the Supreme Court of India in *Gian Singh v. State of Punjab and another*, 2012(4) R.C.R. (Criminal) 543.

In view of what has been discussed hereinabove, the petition is allowed and FIR No. 290 dated 12.4.2013 registered at Police Station, City Jind, District Jind for offence punishable unde Sections 498-A, 406, 323, 452, 506 read with Section 34 IPC and proceedings emanating therefrom are ordered to be quashed, qua the petitioners.

(REKHA MITTAL)
JUDGE

20.02.2015

PARAMJIT