

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

1. Crl. Misc. No. M-10177 of 2016

Vikas MadanPetitioner

versus

State of Punjab and another ...Respondents

2. Crl. Misc. No. M-13793 of 2016

Aarti Maingi and anotherPetitioners

versus

State of Punjab and another ...Respondents

Date of decision : 19.10.2016

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr Kiran Kumar, Advocate
for the petitioner in Crl. Misc. No. M-10177 of 2016 and
for respondent No. 2, in Crl. Misc. No. M-13793 of 2016

Ms. Manpreet Dhaliwal, AAG, Punjab

Mr. S.P. Soi, Advocate
for the petitioners in in Crl. Misc. No. M-13793 of 2016 &
for respondent No. 2 in Crl. Misc. No. M-10177 of 2016

RITU BAHRI, J. (Oral)

By this common order, Crl. Misc. No. M-10177 of 2016 & Crl. Misc No. M-13793 of 2016 shall be decided together wherein prayer is for quashing of FIR No. 32 dated 13.03.2013 under Sections 406/498-A IPC, registered at Police Station Women Cell, Jalandhar City and F.I.R No. 187 dated 22.09.2014 under Section 66 of I.T Act and Section 120-B of IPC at P.S. Division No. 1 Jalandhar and subsequent proceedings arising therefrom on the basis of compromise dated 02.03.2016.

The wife lodged F.I.R No. 32 against the husband i.e Vikas

Madan with the allegation that she was harassed by her husband for bringing less dowry. Due to temperamental differences, both the parties could not live together as husband and wife. The relationship between them became strain. One child was born out of this wedlock.

On the other hand, husband lodged F.I.R No. 187 against his wife with the allegations that her wife has hacked his income tax e filing account. Further his old income tax returns are being misused by his wife.

During the pendency, the matter has been compromised with the intervention of respectable of the area, vide compromise deed dated 02.03.2016.

This Court initially in CRM-M-10177 of 2016 had directed the parties to get the statements recorded with regard to factum of compromise and in this regard, a status report dated 29.09.2016 has been received. In other case i.e CRM-M-13793 of 2016, report has not been received wherein the F.I.R was registered by the husband against his wife.

In compliance of order dated 05.09.2016, report dated 29.09.2016 of Distt. And Sessions Judge, Jalandhar has been received in this regard. As per report, statement of complainant/respondent No. 2 in CRM-M-10177 of 2016 has been recorded to the effect that she has compromised the matter with the accused person and has no grudge. She does not want to proceed further against the accused and has no objection, if the present F.I.R be quashed against the petitioner. Statements of petitioner (in CRM-M-10177 of 2016 has been recorded to the same effect. The compromise has been entered voluntarily.

Since the matter stands compromised between the parties and

as per compromise deed, both the parties had agreed that they will withdraw all the criminal as well as civil cases against each other, it is a fit case where there is no impediment in the way of the Court to exercise its inherent powers under Section 482 Cr.P.C for quashing of F.I.R's in the interest of justice.

Consequently, in view of the status report dated 29.09.2016 and in view of the judgments of the Hon'ble Supreme Court in **Dr. Arvind Barsaul etc. v. State of Madhya Pradesh and another**, 2008(2) RCR (Criminal) 910; “**Madan Mohan Abbot vs. State of Punjab**, 2008(2) RCR (Criminal) 429”, and the law laid down by the Full Bench judgment of this Court in the case of “**Kulwinder Singh and others vs. State of Punjab and another**, 2007(3) RCR (Crl.) 1052”, no useful purpose would be served in prolonging the litigation.

Accordingly, FIR No. 32 dated 13.03.2013 under Sections 406/498-A IPC, registered at Police Station Women Cell, Jalandhar City and F.I.R No. 187 dated 22.09.2014 under Section 66 of I.T Act and Section 120-B of IPC at P.S. Division No. 1 Jalandhar, are quashed with all consequential proceedings arising therefrom qua petitioners in both the petitions.

The petitions stand disposed of.

19.10.2016

G Arora

(RITU BAHRI)
JUDGE