

Crl. Misc. No. M-10620 of 2016

(1)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No. M-10620 of 2016

DATE OF DECISION: 31.05.2016

Vinod Kumar @ Rocky and others

.....Petitioners

Versus

State of Punjab and another

.....Respondents

BEFORE:- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

- 1. Whether reporters of local newspaper may be allowed to see judgment? (Yes/No)**
- 2. To be referred to reporters or not? (Yes/No)**
- 3. Whether the judgment should be reported in the Digest? (Yes/No)**

Present:- Mr. A.S. Khinda, Advocate
for the petitioners.

Mr. Rupam Aggarwal, DAG, Punjab.

Mr. Munish Gulati, Advocate
for respondent No.2.

DAYA CHAUDHARY, J.

The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR NO. 20 dated 5.6.2015 registered under Sections 406/498-A IPC at Police Station Women Cell, Ferozepur, on the basis of compromise arrived at between the parties.

Aforesaid FIR was registered on the basis of complaint made by respondent No.2, wherein, certain allegations of demand of dowry and harassment were levelled. During pendency of the proceedings, with the intervention of friends and respectables, the matter was compromised

between the parties, which was reduced into writing and the same was signed by both the parties in presence of the witnesses. As per compromise arrived at between the parties, it was decided to file petition for quashing of the FIR on the basis of compromise.

While issuing notice of motion on 29.3.2016, the parties were directed to appear before the Illaqa Magistrate for recording of their statements with regard to compromise.

In response to the said directions issued by this Court, the parties appeared before the Chief Judicial Magistrate, Ferozepur and their statements were recorded. After recording of their statements, a report along with the statements of the parties has been sent, which is on record wherein the factum of compromise has been affirmed. It has also been mentioned in the report that the compromise arrived at between the parties is genuine and without any pressure from either side. Complainant-respondent No.2 has specifically stated in her statement that she has settled the dispute with the accused persons and has no objection in quashing of the FIR and other proceedings.

Since the dispute between the parties is matrimonial in nature and the same has been settled by way of compromise; complainant has no objection in quashing of the FIR and other proceedings, no purpose would be served in case proceedings are continued in future as it would amount to wastage of precious time of the Court. Moreover, it would not be in the interest of the parties as the complainant is not going to support the case of the prosecution. The purpose of the compromise is to maintain peace and harmony in the relations.

Accordingly, the present petition is allowed and the impugned

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criminal proceedings arising out of FIR NO. 20 dated 5.6.2015 registered under Sections 406/498-A IPC at Police Station Women Cell, Ferozepur as well as all subsequent proceedings arising therefrom qua petitioners, namely, Vinod Kumar @ Rocky, Satya Devi, Kamna and Ashwani Kumar, are hereby quashed.

May 31, 2016
pooja

(DAYA CHAUDHARY)
JUDGE