

**232 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.**

CRM-M No.11533 of 2016

Date of decision :30.08.2016

Jay Manubhai Patel and others

..... Petitioners

Versus

Mrs.Neha Gupta and another

.....Respondents

CORAM : HON'BLE MS.JUSTICE RITU BAHRI

Present: Mr.Ravi Kant Sharma, Advocate for the petitioners.

Mr.Samir Rathaur, Advocate for respondent No.1.

Mr. Amit Kumar Goyal, Advocate, APP for UT

Chandigarh- for respondent No.2.

RITU BAHRI, J. (Oral)

This is a petition for quashing of FIR No. 27 dated 19.02.2016, under Sections 498-A/406 IPC, registered at Police Station(Women and Child Support), Sector 17, Chandigarh.

The present FIR is a result of matrimonial dispute between the complainant-respondent No.1 and petitioner No.1 who are wife and husband respectively. They got married according to Hindu rites and ceremonies. After marriage they lived at Ahmedabad. Out of this wedlock a daughter named Jesal Patl was born on 12.2.2010. Due to temperamental differences the couple could not pull on together and they have decided to dissolve their marriage by a decree of divorce by mutual consent. They have also filed a petition for divorce by way of mutual consent which is pending. A compromise deed dated 14.03.2016 (Annexure P-2) has also been placed on record.

The parties were directed to get their statements recorded

before the trial Court with regard to the compromise vide order dated 12.07.2016. A report dated 16.08.2016 has been received from the Judicial Magistrate 1st Class, Chandigarh in this regard. Statement of complainant Neha Gupta has been recorded on 11.08.2016 to the effect that she has compromised the matter with the accused out of her free will and without any pressure and she has no complaint against them and she would be having no objection if the present FIR is quashed. To the same effect is the statement of accused-petitioner Jay Manubhai Patel. Learned APP for UT Chandigarh has also accepted this fact.

Consequently in view of the compromise having been arrived at between the parties and the judgement of the Hon'ble Supreme Court in the case of **Madan Mohan Abbot v. State of Punjab, 2008(2) RCR(Criminal) 429** and the law laid down by the Full Bench of this Court in the case of **Kulwinder Singh and ors. v. State of Punjab and another, 2007(3) RCR(Crl.) 1052**, this Court is of the view that no useful purpose would be served in prolonging the litigation.

Consequently, this petition is allowed and the FIR No. 27 dated 19.02.2016, under Sections 498-A/406 IPC, registered at Police Station(Women and Child Support), Sector 17, Chandigarh and all other proceedings arising therefrom are quashed qua the petitioners.

(RITU BAHRI)
JUDGE

August 30 , 2016
sunita

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No