

251 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

CRM-M No.12328 of 2016

Date of decision :26.08.2016

Jarnail Singh and others

..... Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM : HON'BLE MS.JUSTICE RITU BAHRI

Present: Mr.Amit Goyal, Advocate for the petitioners.

Mr.APS Gill, AAG, Punjab.

Mr.Manish Deswal, Advocate for respondent No.2.

RITU BAHRI, J. (Oral)

This is a petition for quashing of FIR No. 130 dated 25.11.2015, under Sections 498-A/406 IPC, registered at Police Station Balaungi, District SAS Nagar on the basis of compromise dated 15.03.2016(Annexure P-3).

The present FIR is a result of matrimonial dispute between the complainant-respondent No.2 and petitioner No.4 who are wife and husband respectively. Petitioners No. 1 and 2 are parents of the boy and petitioner No.3 is his uncle(chacha). Now the dispute between the parties has been resolved with the intervention of respectables, family friends and relatives and parties to the marriage have also filed a petition for divorce by way of mutual consent. A compromise deed dated 15.03.2016 (Annexure P-3) has also been placed on record.

The parties were directed to get their statements recorded before the Illaqa Magistrate with regard to the compromise vide order dated 08.04.2016. A report dated 28.06.2016 has been received from the Judicial Magistrate 1st Class, Kharar wherein she mentioned that the parties had appeared before her and had attested to the fact that a compromise had indeed taken place between them and that the compromise had been executed voluntarily and without any pressure. Learned AAG and learned counsel for respondent No.2 has 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. 130 dated 25.11.2015, under Sections 498-A/406 IPC, registered at Police Station Balaungi, District SAS Nagar and all other proceedings arising therefrom are quashed qua the petitioners.

(RITU BAHRI)
JUDGE

August 26 , 2016
sunita

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No