

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-13513-2016

Date of Decision:- 17.12.2016

Tejbir Singh

....Petitioner

Versus

State of Haryana and another

....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. S.K. Gupta, Advocate
for Mr. Ram Bilas Gupta, Advocate,
for the petitioner.

Ms. Mahima Yashpal, AAG, Haryana.

Mr. Rajiv Sharma, Advocate
for respondent No.2.

RITU BAHRI, J. (Oral)

Present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.412 dated 15.07.2015, under Sections 406 and 498-A IPC, registered at Police Station Sector 7, District Faridabad, on the basis of compromise deed dated 08.04.2016 (Annexure P-2).

Brief facts of the case are that the marriage of the parties was solemnized on 08.02.2014, according to Hindu Rites. Thereafter, due to incompatibility of temperament, both the parties could not live together as husband and wife. The relationship between them became strained and thereafter, the F.I.R was registered against the petitioner.

Learned counsel for the petitioner submits that keeping in view the peace and harmony, the matter has now been amicably settled between the parties, vide compromise dated 08.04.2016 (Annexure P-2).

During the course of preliminary hearing, the trial Court, was directed to record the statements of all the concerned parties, with regard to

the genuineness and validity or otherwise of the compromise deed dated 08.04.2016 (Annexure P-2), by way of order dated 27.07.2016, by this Court.

In compliance of order dated 27.07.2016 of this Court, the report of the Judicial Magistrate 1st Class, Faridabad, dated 12.10.2016 has been received. As per the report, the statement of complainant has been recorded and she has no objection, if the present FIR registered against the petitioner is quashed. Statements of the complainant and petitioner has been recorded to the same effect.

Consequently, in view of the above-said report and in view of the judgments of the Hon'ble Supreme Court in **Dr. Arvind Barsaul etc. Vs. 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 of this Court in the case of **Kulwinder Singh and Ors. vs. State of Punjab and another, 2007(3) RCR (Crl.) 1052**, no useful purpose would be served in prolonging the litigation.

Accordingly, FIR No.412 dated 15.07.2015, under Sections 406 and 498-A IPC, registered at Police Station Sector 7, District Faridabad and all the subsequent proceedings arising therefrom are hereby quashed, on the basis of compromise deed dated 08.04.2016 (Annexure P-2).

The present petition stands disposed of.

December 17, 2016
naresh.k

(**RITU BAHRI**)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No