

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-18226 of 2016
Date of Decision: 26.09.2016

Gurbakshish Singh and othersPetitioners

Vs.

State of Punjab and anotherRespondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr.Karan Garg, Advocate, for the petitioners.

Ms.Manpreet Dhaliwal, AAG, Punjab.

Mr.N.S.Chahal, Advocate, for respondent No.2.

RITU BAHRI, J. (ORAL)

The instant petition has been filed under Section 482 of the Code of Criminal Procedure for quashing of FIR No.56 dated 27.04.2015, for the offence under Sections 406, 498-A IPC registered at Police Station City, Kotkapura, District Faridkot (Annexure P-1) along with all consequential proceedings arising therefrom, on the basis of compromise dated 08.01.2016 (Annexure P-2).

The marriage of Rupinder Kaur-respondent No.2 was solemnized with Gurbakshish Singh-petitioner No.1 on 01.03.2012 as per Sikh rites and rituals. A female girl child namely Sukhmani was born out of this wedlock. On account of misunderstanding, a dispute arose between the husband and wife and they could not lead a normal matrimonial life with each other. Thereafter, respondent No.2 lodged FIR under Section 498A/406 IPC against the petitioners. However, with the intervention of

parties at Mediation and Conciliation Centre of this Court on 08.01.2016 (Annexure P-2 colly).

In terms of compromise, it was agreed between the parties that petitioners will pay Rs.23,00,000/- in instalment as permanent alimony to Rupinder Kaur-complainant/respondent No.2. The first and second instalments of Rs.5,00,000 (i.e. Rs.10,00,000/-) has already been paid by the petitioner No.1 to complainant/respondent No.2. It was also agreed between the parties that the third and last instalment i.e. Rs.3,00,000/- shall be paid at the time of quashing of the FIR and Rs.10,00,000/- shall also be paid in the shape of FDR in the name of minor daughter Sukhmani at the time of making the final statement by petitioners in the divorce petition under Section 13B of HMA. A joint petition under Section 13-B was filed by petitioner No.1 and complainant/respondent No.2 vide Annexure P-4.

On notice, parties are present in Court today identified by their respective counsel.

Rupinder Kaur-Complainant/respondent No.2 has filed an affidavit stating therein that as per compromise dated 08.01.2016, she has received the remaining amount i.e. Rs.3,00,000/- in the shape of demand draft bearing No.293027 dated 26.08.2016 and she has no objection if the present petition is disposed of.

In view of the above, all the payments/instalments have been received by the complainant/respondent No.2 from the petitioners as per compromise dated 08.01.2016, as such, the FIR No.56 dated 27.04.2015 for the offence under Sections 498A, 406 IPC, registered at Police Station

Kotkapura, District Faridkot, is quashed qua the petitioners along with all consequential proceedings arising therefrom, on the basis of compromise dated 08.01.2016 (Annexure P-2).

(RITU BAHRI)
JUDGE

26.09.2016
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<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>