

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-18467-2016

Date of Decision:- 05.12.2016

Bhupinder Singh Gill

....Petitioner

Versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Aakash Singla, Advocate, for the petitioners.

Ms. Manpreet Dhaliwal, AAG, Punjab.

**Mr. B.D. 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.4 dated 14.03.2014, under Sections 406 and 498-A IPC, registered at NRI Police Station, District Kapurthala, on the basis of compromise deed dated 17.05.2016 (Annexure P-2).

Brief facts of the case are that petitioner got married to respondent No.2 on 31.01.2013 but 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 with the intervention of respectable persons, vide compromise dated 17.05.2016 (Annexure P-2). Moreover, vide order dated 21.11.2016 of learned Additional District Judge, Kapurthala, the divorce has been granted to the parties in a petition filed under Section 13-B HMA.

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 dated 17.05.2016 (Annexure P-2), by way of order dated 26.05.2016, by this Court.

In compliance of order dated 26.05.2016 of this Court, the report of the Additional Chief Judicial Magistrate, Kapurthala, dated 30.05.2016 has been received. As per the report, the statements of all the concerned parties have been recorded and the complainant has no objection, if the present FIR registered against the petitioner is quashed. Statements of the petitioner and complainant have 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.4 dated 14.03.2014, under Sections 406 and 498-A IPC, registered at NRI Police Station, District Kapurthala and all the subsequent proceedings arising therefrom are hereby quashed, on the basis of compromise dated 17.05.2016 (Annexure P-2). Further, keeping in view of the fact that the divorce has already been granted to the parties, the Registry is directed to release the bank draft bearing No.502371, which was kept vide order dated 30.09.2016 of this Court, to Arshdeep Kaur-respondent No.2 forthwith.

The present petition stands disposed of.

December 05, 2016
naresh.k

(**RITU BAHRI**)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No