

**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH**

**CRM-M No. 19973 of 2016
Date of decision: 04.11.2016**

Inderjeet Singh & Another

...Petitioners

Versus

State of Punjab & Another

...Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Aditi Girdhar, Advocate as amicus-curiae
for the petitioner.

Mr. Anmol Malik, AAG, Haryana
for the State.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 482 of the Code of Criminal Procedure for quashing of FIR No. 37 dated 26.02.2016, registered under Sections 406, 498-A, 307 and 34 of the Indian Penal Code at Police Station City Rajpura, District Patiala (Annexure P-1) along with challan dated 19.04.2016 (Annexure P-4).

It is contended by the counsel for the petitioners that pursuant to the lodging of FIR, the matter was settled amicably between the parties and since they had resolved all their disputes, they are residing together. The complainant, Smt. Rajvir Kaur, appeared before learned Additional Sessions Judge, Patiala on 17.05.2016 when petitioners had approached the said court for grant of bail under Section 439 Cr.P.C and had her statement recorded in which she had stated that she had got a case registered against her husband and mother-in-law for misappropriation of dowry articles as well as for the reasons that the accused had made an attempt to kill her. She further stated that the matter had been compromised with the accused and

as per the terms of the compromise arrived at they would reside in the matrimonial home and would file a petition before the High Court for quashing of the FIR. It was further stated that she would have no objection if the bail application of accused Inderjeet Singh is allowed. On the basis of the statement made, bail was allowed to the accused Inderjeet Singh.

Thereafter, the instant petition has been filed by both the accused. Notices were issued on 02.06.2016, pursuant to which, the complainant has also put in appearance through her counsel. Counsel for the petitioners was also directed to place on record the statement of the complainant deposed before the Additional Sessions Judge, Patiala in the bail application. A certified copy of which is taken on record. The complainant, who is present in Court today, has also filed an affidavit dated 02.06.2016 which is part of the record of the present petition at page 70-72, duly notarized, which is to the effect that she has compromised the matter and both the parties are residing together. On the asking of the Court, the complainant has informed that she is residing happily with her husband and does not want to pursue the FIR any more.

Since a statement has been made before the Additional Sessions Judge as well as before this Court by the complainant regarding compromise entered into between the parties, this Court feels that no useful purpose would be served if the parties are sent for recording of their statement before the Illaqa Magistrate.

Consequently, keeping in view the fact that the dispute has been amicably settled and in view of the law laid down by the Hon'ble Supreme Court in ***Gian Singh Versus State of Punjab and another,***

2012(4) RCR (Cr.) 543, this petition is allowed and FIR No. 37 dated 26.02.2016, registered under Sections 406, 498-A, 307 and 34 of the Indian Penal Code at Police Station City Rajpura, District Patiala (Annexure P-1) and all subsequent proceedings arising out of the same are quashed qua the petitioners.

The petition stands disposed of.

November 04, 2016
Ansari

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No