

**253 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.**

CRM-M No. 22814 of 2016

Date of decision :26.08.2016

Deepak Rathi

..... Petitioner

Versus

State of Haryana and another

.....Respondents

CORAM : HON'BLE MS.JUSTICE RITU BAHRI

Present: Mr.Sanjay Verma, Advocate for the petitioner.

Ms.Mahima Yashpal, AAG, Haryana.

RITU BAHRI, J. (Oral)

This is a petition for quashing of FIR No. 582 dated 12.09.2014, under Sections 498-A/406/323/506 IPC, registered at Police Station Sector 10, Gurgaon, District Gurgaon, on the basis of compromise dated 11.05.2016(Annexure P-2).

The petitioner is the husband of respondent No.2. The allegation against him in the FIR are that he used to harass respondent No.2 physically as well as mentally. The parties also have a minor daughter whom the petitioner used to take away with him as respondent No.2 was residing with her mother and he used to pick up quarrel even with the younger brother of respondent No.2 also and interferes in her mother's family. Now the dispute between the parties has been resolved with the intervention of respectables, family friends and relatives. A compromise deed dated 11.05.2016 (Annexure P-2) has also been placed on record.

The parties were directed to get their statements recorded

before the Illaqa Magistrate/trial Court with regard to the compromise vide order dated 11.07.2016. A report dated 06.08.2016 has been received from the Judicial Magistrate 1st Class, Gurgaon wherein he mentioned that the parties had appeared before him 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 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. 582 dated 12.09.2014, under Sections 498-A/406/323/506 IPC, registered at Police Station Sector 10, Gurgaon, District Gurgaon, and all other proceedings arising therefrom are quashed qua the petitioner.

(RITU BAHRI)
JUDGE

August 26 , 2016
sunita

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No