

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

Crl. Misc. No. M-23477 of 2016

Date of decision : 14.07.2016

Ranjit Kaur and anotherPetitioners
versus

State of Punjab ...Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Ms. Ekta Thakur, Advocate
for the petitioners.

RITU BAHRI, J. (Oral)

Issue notice of motion.

On asking of the Court, Mr. A.P.S. Gill, A.A.G. Punjab accepts notice on behalf of the State. Learned counsel for the petitioner is directed to supply copy of the petition to the learned State counsel by today itself during the course of the day.

This is a joint petition filed by petitioner No. 1-wife and petitioner No. 2-husband for quashing of FIR No. 180 dated 08.08.2010 under Sections 307/498-A of IPC, registered at Police Station S.A.S. Nagar, Mohali, on the basis of compromise.

Petitioners got married on 07.02.2003, as per Sikh rites. Out of this wedlock, two daughters were born. One girl is residing with her mother and one with father. Due to temperamental differences, petitioners are residing separately from each other for the last about 5-6 years. In the above background, the F.I.R was registered by petitioner No. 1 against petitioner No. 2.

However, the matter has now been duly compromised between the parties with the intervention of respectables and friends. A petition under Section 13-B of the Hindu Marriage Act has been filed for dissolution of marriage. It has been decided between the parties that petitioner No. 2-husband will pay sum of Rs.6 lacs to the petitioner No. 1-wife at the time of first hearing of quashing petitioner and Rs.5 lacs will be paid to petitioner No. 2 at the time passing divorce decree in a petition under Section 13-B of the Hindu Marriage Act. Rs.5 lacs had already been paid to petitioner No. 1 It was further decided that Jasleen Kaur will remain with her father and Chamandeep Kaur will live with her mother-petitioner No. 1. It was further undertaken by the parties that they will not initiate any litigation in future and petition under Section 125 Cr.P.C will be withdrawn by petitioner No. 1.

Parties are present in the Court today along with the counsel and they have placed on record their identity proof with the petition. Banker's cheque bearing No. 026231 dated 14.06.2016 amounting to Rs.6 lacs in the name of petitioner No. 1 has been given to petitioner No. 1 by petitioner No. 2, as per compromise deed and the same has been duly accepted. Petitioner No. 1 stated that she has no objection if the F.I.R be quashed against petitioner No. 2. She further stated that she has compromised the matter voluntarily, without any pressure, coercion. Thus, the court is satisfied that the compromise is valid and genuine.

Consequently, in view of the status report and in view of the judgment of the Hon'ble Supreme Court in the case of ***Dr. Arvind Barsaul etc. versus State of Madhya Pradesh and another 2008(2) RCR (Criminal) 910***, no useful purpose would be served in prolonging the litigation.

Accordingly, FIR No. 180 dated 08.08.2010 under Sections 307/498-A of IPC, registered at Police Station S.A.S. Nagar, Mohali is quashed along with all consequential proceedings arising therefrom qua petitioner No. 2, subject to verification by the State.

The petition stands disposed of.

14.07.2016
G Arora

(RITU BAHRI)
JUDGE