

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

Crl. Misc. No. M-23533 of 2016

Date of decision : 19.09.2016

Gagandeep @ Prince and anr.

.....Petitioners

versus

State of Punjab & anr.

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Prateek Pandit, Advocate
for the petitioners.

Mr. A.P.S. Gill, A.A.G. Punjab

RITU BAHRI, J. (Oral)

Quashing of FIR No. 45 dated 19.09.2011 under Section 406/498-A IPC, registered at Police Station Women Cell District Jalandhar as well as judgment dated 07.01.2016 (P-2), is being sought on the basis of compromise deed dated 25.05.2016 (Annexure P-3).

Respondent No. 2 got married to petitioner No. 1 on 19.01.2011. Due to temperamental differences, both the parties could not live together as husband and wife. No child was born out of this wedlock. The relationship between them became strain and thereafter, the F.I.R was registered against the petitioners on account of bringing less dowry and harassment caused by the petitioners. Subsequently, the petitioners were also convicted and sentenced under Section 406/498-A IPC.

However, during the pendency of the appeals before the Sessions Court, better sense prevailed and the matter has been duly compromised, vide compromise deed dated 25.05.2016 (Annexure P-3).

Petitioner No. 1 and respondent No. 2 decided to part ways by obtaining decree of divorce by mutual consent and a petition under Section 13-B of the Hindu Marriage Act has been filed wherein statement of the parties have been recorded (P-4 and P-5)

In compliance of order dated 14.07.2016, report of Addl. District and Sessions Judge, Jalandhar, has been received in this regard. As per report, statement of parties have been recorded. Complainant stated that the matter stands compromised between the parties and she does not want to proceed further against the accused and has no objection, if the present F.I.R be quashed against the petitioners. The compromise has been entered voluntarily. To the same effect is the statements given by the petitioners.

The better sense prevailed between the parties and the matter stands compromised. This compromise is also in the better interest of the Society and would be helpful in maintaining peace and harmony. Thus, this Court has no hesitation in quashing the F.I.R and consequent proceedings arising therefrom.

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***, in view of the judgment of the Hon'ble Supreme Court in the case of **Madan Mohan Abbot vs. State of Punjab 2008(2) RCR (Criminal) 429**, 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. 45 dated 19.09.2011 under Section 406/498-A IPC, registered at Police Station Women Cell District Jalandhar

as well as judgment dated 07.01.2016 (P-2), are quashed along with all consequential proceedings arising therefrom qua petitioners.

The petition stands disposed of.

19.09.2016
G Arora

(RITU BAHRI)
JUDGE

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