

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

**Crl. Misc. No. M-236 of 2016
Date of decision : 02.09.2016**

Sanni Sareen

..... Petitioner

versus

State of Haryana and Anr.

... Respondents

CORAM:- HON'BLE MRS. JUSTICE ANITA CHAUDHRY

**Present: Mr. Gopal Krishan Nair, Advocate
for the petitioner.**

Mr. Sanjay Kumar Saini, AAG Haryana.

**Ms. Anju Saini, Advocate
for respondent No.2.**

ANITA CHAUDHRY, J.

The petitioner is seeking quashing of FIR No. 166 dated 24.05.2012, registered under Sections 323, 406, 498-A and 506 IPC and Section 66-E of the Information and Technology Act, Police Station Sector 5 Panchkula on the basis of compromise arrived at between the parties.

The FIR was registered at the instance of respondent No.2 alleging maltreatment and harassment on account of dowry by the petitioner and his parents. The police filed the challan against the husband only.

It has been contended that the the parties have amicably settled the dispute and have taken divorce by way of mutual consent and had decided to withdraw whatever proceedings are pending between them.

In the reply filed by the State, ignorance has been shown about the compromise, but it was admitted that challan was filed only against the petitioner.

Report has been received from the trial court after recording statements of the parties on compromise. The Court below has reported that compromise is voluntary and without any pressure or coercion.

Mark-A is the list provided by counsel for the complainant, which is taken on record. The list indicates the photographs lying in the record of trial Court with page numbers in pen. Learned counsel for the parties are ad-idem that the same be destroyed for the welfare of the parties, enabling them to start their life afresh.

No useful purpose would be served to keep the FIR pending.

In view of the statements and report of the trial Court and the principles laid down by the Full Bench judgment of this Court in **Kulwinder Singh & Ors. Vs. State of Punjab & Anr. 2007(3) RCR(Crl.) 1052,** approved by Hon'ble the Apex Court in **Gian Singh Vs. State of Punjab & Ors. 2012(10) SCC 303,** the instant petition is allowed and the aforesaid FIR and all consequent proceedings conducted therein are quashed.

Needless to say that parties shall remain bound by the terms of compromise and their statements made in the Court below. Trial Court shall ensure that the photographs mentioned in the list Mark-A are destroyed within a fortnight of receipt of order and a remark in this regard shall be made in the index of the file for future reference.

Records be sent back with list Mark-A. Photocopy of it be retained here.

September 02,2016
Jiten

(ANITA CHAUDHRY)
JUDGE

Whether speaking/ reasoned

Yes/ No

Whether reportable	Yes/ No
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