

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

**CRM-M-25190-2016
Date of decision: 03.08.2016**

Rajat Rajput and others

.....Petitioners

Versus

State of U.T., Chandigarh and another

**.....
Respondents**

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Vipul Sharma, Advocate,
for the petitioners.

Mr. G.S. Chahal, APP for U.T., Chandigarh.

Mr. Divjyot Singh Sandhu, Advocate,
for respondent No.2.

Ritu Bahri, J.

Quashing of FIR No.293 dated 08.06.2015, under Sections 406/498-A IPC, registered at Police Station, Sector 34, Chandigarh (Annexure P-1) is sought on the basis of compromise dated 17.07.2016 (Annexure P-2).

Petitioners are permanent residents of Germany and this petition has been filed through General Power of Attorney. Marriage of petitioner No.1-Rajat Rajput was solemnized with Neha, daughter of complainant-Ashwani Kumar, on 17.02.2012. Thereafter, daughter of complainant namely, Neha went Germany. However, on account of difference of temperaments between the husband and wife, they filed for divorce before a

Court in Germany. Ultimately, a decree of divorce with mutual consent was granted on 03.09.2014. The present FIR was registered on the basis of complaint made by Ashwani Kumar, father of Neha.

During the pendency of investigation, the matter has now been amicably resolved between the parties vide compromise dated 17.07.2016 (Annexure P-2).

Upon notice, learned counsel for the complainant had put in appearance on 27.07.2016. The complainant (Ashwani Kumar) is also present in Court today and has been identified through SI Ram Kumar. Complainant has given his affidavit dated 03.08.2016, wherein it has been stated that the matter has been compromised between the parties. He and his daughter are fully satisfied with the compromise. They do not want to pursue the present FIR. The compromise is without any pressure or coercion. Rather, the same has been effected with their free will and consent. Petitioner Nos. 2 and 3 are also present in Court. They have admitted the factum of compromise. In view of the affidavit of the complainant, the Court is satisfied that the compromise is valid and genuine one.

Consequently, in view of the status report and the judgment of the Hon'ble Supreme Court in case **Madan Mohan Abbot Vs. State of Punjab**, 2008 (2) RCR (Criminal) 429, the law laid down by the Full Bench of this Court in case **Kulwinder Singh and others Vs. 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 between the parties.

Accordingly, FIR No.293 dated 08.06.2015, under Sections 406/498-A IPC, registered at Police Station, Sector 34, Chandigarh is

quashed with all consequential proceedings arising therefrom qua the petitioners.

Petition stands disposed of accordingly.

03.08.2016
ajp

(RITU BAHRI)
JUDGE

Whether speaking/reasoned: Yes/No
Whether reportable : Yes/No