

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-25692-2016

Date of Decision:- 23.09.2016

Premjit Singh and others

....Petitioners

Versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

**Present: Mr. G.S. Toor, Advocate
for the petitioners.**

Mr. J.S. Riar, AAG, Punjab.

**Mr. G.S. Jagpal, Advocate
for respondent No.2.**

RITU BAHRI, J. (Oral)

The present petition has been filed under Section 482 Cr.P.C for quashing of FIR No.118 dated 06.12.2008 under Sections 498-A, 323 and 34 IPC, registered at Police Station Dhanaula, District Barnala, and all the subsequent proceedings arising therefrom, on the basis of compromise dated 01.07.2016 (Annexure P-2).

Brief facts of the case are that marriage of petitioner No.1 with respondent No.2 took place on 01.02.2004, as per Sikh Rites. One daughter, namely, Tamanna alias Kriti was born from this wedlock. Due to temperamental differences, both the parties could not live together as husband and wife. The relationship between them became strained and they got divorce by mutual consent, vide judgment dated 01.07.2010, passed by learned District Judge, Ludhiana. Custody of daughter was agreed to be given to respondent No.1.

Learned counsel for the petitioners submits that keeping in view the peace and harmony of the village and area, the matter has now been amicably settled between the parties, vide compromise deed dated 01.07.2016 (Annexure P-2).

Upon notice, affidavit has been filed on behalf of respondent No.2, today in the Court and the same is taken on record.

As per affidavit of respondent No.2, she has compromised the matter with the petitioners with her free will and without any pressure. She has no objection, if the present FIR registered against the petitioners is quashed.

Consequently, in view of the above-said affidavit and in view of the judgments of the Hon'ble Supreme Court in **Dr. Arvind Barsaul etc. Vs. State of Madhya Pradesh and another, 2008(2) RCR (Criminal) 910; Madan Mohan Abbot vs. 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. vs. State of Punjab and another, 2007(3) RCR (Crl.) 1052**, no useful purpose would be served in prolonging the litigation.

Accordingly, FIR No.118 dated 06.12.2008 under Sections 498-A, 323 and 34 IPC, registered at Police Station Dhanaula, District Barnala and all the subsequent proceedings arising therefrom are hereby quashed on the basis of compromise deed dated 01.07.2016 (Annexure P-2).

The present petition stands disposed of.

September 23, 2016
naresh.k

(**RITU BAHRI**)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No