

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

CRM-M No.25471 of 2015

Date of decision :26.08.2016

Harjinder Singh

..... Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM : HON'BLE MS.JUSTICE RITU BAHRI

Present: Mr.Dinesh Nagar, Advocate for the petitioner.

Mr.APS Gill, AAG, Punjab.

None for respondent No.2.

RITU BAHRI, J. (Oral)

This is a petition for quashing of FIR No.34 dated 13.04.2015 ,
under Sections 406/498-A IPC, registered at Police Station Rahon, District
SBS Nagar (Nawanshahar) on the basis of compromise.

As per the allegations set up in the FIR the marriage of the
petitioner was solemnised with respondent No.2 as per Hindu rites and
ceremonies and thereafter they lived together as husband and wife. A
female child was born out of this wedlock on 15.05.2014. After some time
of the marriage due to temperamental differences they could not live
together amicably and the wife-respondent No.2 got registered the present
FIR against the petitioner. Now with the intervention of the respectable of
the family the dispute between the parties has been settled and they have

resolved to put an end to their nuptial knot by filing a petition for divorce by mutual consent. A compromise deed Annexure P-2 has also been placed on record.

On notice State has filed its reply admitting the factum of compromise having been taken place between the parties to the marriage. Learned State counsel has also confirmed this factual assertion.

Consequently in view of the compromise placed on record and the judgement of the Hon'ble Supreme Court in the case of **Madan Mohan Abbot v. 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. v. 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.

Consequently, this petition is allowed and the FIR No.34 dated 13.04.2015, under Sections 406/498-A IPC, registered at Police Station Rahon, District SBS Nagar(Nawanshahar) and all other proceedings arising therefrom are quashed qua the petitioner.

(RITU BAHRI)
JUDGE

August 26 , 2016
sunita

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No