

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

**CRM No. M-27505 of 2016
Date of decision: 18.10.2016**

Sachin Babbar and another

...Petitioners

Versus

State of Haryana and another

...Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Kunal Garg, Advocate,
for the petitioners.

Mr. D.R. Singla, DAG, Haryana.

Ritu Bahri, J.

Quashing of FIR No. 676 dated 01.12.2009, under Sections 498-A, 406 and 506 IPC, registered at Police Station, City Ballabgarh, District Faridabad (Annexure P-1) is sought on the basis of compromise effected between the parties before the District Judge, Family Court, Faridabad.

The F.I.R was registered on the basis of complaint made by Pooja Babbar-respondent No.2 to the effect that her marriage was solemnized with Sachin Babbar-petitioner No.1 on 06.07.2006 at Faridabad. Out of this wedlock, one child namely Jai Babbar was born on 08.05.2007. Soon after the marriage, her in-law (petitioners) started harassing and humiliating her on the pretext of bringing inadequate dowry. She was also given beatings by the petitioners. Ultimately, she was thrown out of her matrimonial house on 17.02.2009. Since then, she has been residing in her parental house. In this background, the FIR was registered.

During the pendency of trial, with the intervention of respectable persons, the matter has been amicably settled between the parties. Pursuant to the compromise, petitioner No.1 and respondent No.2 filed a petition under Section 13-B of the Hindu Marriage Act before the District Judge, Family Court, Faridabad (Annexure P-2), wherein they have made a joint statement on 12.02.2016 (Annexure P-3). As per compromise, petitioner No.1 has agreed to pay a sum of Rs.1,12,500/- on account of past, present and future maintenance of respondent No.2. At the time of first motion, he has already paid a sum of Rs.55,000/- to respondent No.2-complainant.

In compliance with the order dated 10.08.2016 passed by this Court, parties have got recorded their statements before the trial Court. Report from the Judicial Magistrate Ist Class, Faridabad, has been received in this regard. As per report, Pooja Babbar-respondent No.2 made her statement on 30.08.2016 to the effect that she has compromised the matter with accused-petitioners. She along with her husband-petitioner No.1 had filed a petition under Section 13-B of the Hindu Marriage Act, which has been allowed on 30.08.2016. As per compromise, she has received full and final payment from the accused-petitioners. She has no objection if, the above said FIR is quashed. Joint statement of Sachin Babbar and Sudhesh Babbar-petitioners was also recorded to the same effect. In view of separate statements given by the parties, 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 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**, this Court is of the view that no useful purpose would be served in prolonging the litigation.

Accordingly, FIR No. 676 dated 01.12.2009, under Sections 498-A, 406 and 506 IPC, registered at Police Station, City Ballabgarh, District Faridabad, is quashed with all consequential proceedings arising therefrom qua the petitioners.

The petition stands disposed of accordingly.

18.10.2016
ajp

(RITU BAHRI)
JUDGE

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