

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

**Criminal Misc. No. M-28254 of 2015
Date of decision: 11.05.2016**

Gagandeep Singh Dhillon and others

..Petitioners

Versus

State of Punjab and another

..Respondents

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

- 1. Whether reporters of local newspapers may be allowed to see judgment? Yes/No**
- 2. To be referred to reporters or not? Yes/No**
- 3. Whether the judgment should be reported in the Digest? Yes/No**

Present: Mr. A.P.S. Randhawa, Advocate
for the petitioners.

Mr. Rupam Aggarwal, DAG, Punjab
for respondent No.1 – State.

Mr. Amit Gupta, Advocate
for respondent No.2.

Daya Chaudhary, J.

This petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.35 dated 22.02.2014 registered under Sections 406, 498-A of Indian Penal Code (for short 'IPC') at Police Station Civil Lines Batala, District Batala on the basis of compromise arrived at between the parties.

Briefly, the facts of the case are that marriage of petitioner No.1 and respondent No.2 was solemnized on 09.01.2012. Some differences arose between the parties and respondent No.2 made a

complaint against the petitioners, on the basis of which, the aforesaid FIR was registered. Petitioners are husband, father-in-law and paternal uncle-in-law, respectively, of the complainant. During pendency of the proceedings before the trial Court, the matter was referred to Lok Adalat and with the intervention of the respectables, the compromise was arrived at between the parties. It was decided to file a petition under Section 13-B of the Hindu Marriage Act, 1955 (for short 'the Act') for grant of divorce with mutual consent. It was also decided that petitioner No.1 would pay an amount of ₹8,50,000/- to respondent No.2. Out of said amount, an amount of ₹3,50,000/- was to be paid at the time of recording of first motion statement and balance amount of ₹5,00,000/- was to be paid at the time of recording of second motion statement.

Learned counsel for the petitioners submits that the petition filed under Section 13-B of the Act has been allowed and the amount settled between the parties has been paid to respondent No.2.

Learned counsel for respondent No.2 has also affirmed the submissions made by learned counsel for the petitioners with regard to compromise as well as allowing of petition under Section 13-B of the Act. Learned counsel also submits that respondent No.2 has no objection in quashing of the FIR and other proceedings.

Complainant-respondent No.2 is also present in the Court and has specifically stated that she has received the settled amount

and the petition filed under Section 13-B of the Act has been allowed. She has also stated that she has no objection in quashing of the FIR and other proceedings.

The dispute between the parties is matrimonial in nature and the same has been settled by way of compromise. The petition filed under Section 13-B of the Act has been allowed. Complainant-respondent No.2 has no objection in quashing of the FIR and other proceedings and she is satisfied with the compromise. Moreover, no purpose would be served in case proceedings are allowed to be continued in future as the complainant is not going to support the case of the prosecution and it would result into wastage of precious time of the Court.

Accordingly, the present petition is allowed and the impugned criminal proceedings arising out of FIR No.35 dated 22.02.2014 registered under Sections 406, 498-A IPC at Police Station Civil Lines Batala, District Batala as well as all subsequent proceedings arising therefrom qua petitioners, namely, Gagandeep Singh Dhillon, Trilochan Singh and Davinder Singh Dhillon, are hereby quashed.

11.05.2016
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(DAYA CHAUDHARY)
JUDGE