

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

Crl. Misc. No.M-29734 of 2015

Date of Decision: 04.05.2016

Hemant Garg and others

....Petitioners

Versus

State of Punjab and another

....Respondents

BEFORE :- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

- 1. Whether reporters of local newspapers may be allowed to see the 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. Sunil Dhanda, Advocate
for the petitioners.

Mr. Rupam Aggarwal, D.A.G., Punjab
for the respondent-State.

DAYA CHAUDHARY, J.

The present petition has been filed under Section 482 Cr.P.C for quashing of FIR No.10 dated 06.06.2013 registered under Sections 498-A and 406 IPC at Police Station Mehla Jagraon, District Ludhiana (Rural) along with all consequential proceedings arising therefrom on the basis of compromise arrived at between the parties.

The FIR, in question, was registered on the basis of complaint made by respondent No.2. However, during pendency of the proceedings, the parties settled their dispute with the intervention of respectables and relatives of both the parties.

Notice of motion in the case was issued on 01.12.2015 and

the parties were also directed to appear before the Matrimonial Court where the divorce proceedings were pending and the Court was directed to record the statements of both the parties to its satisfaction to know the genuineness of the compromise and to send a report along with statements of the parties.

In compliance of directions issued by this Court on 01.12.2015, the statements of the parties were recorded, wherein, the factum of compromise has been affirmed. A report has also been sent by Sub Divisional Judicial Magistrate, Jagraon, stating therein that the compromise is genuine and there is no pressure from either side. Complainant-Rajni Gupta has made a specific statement stating therein that she has no objection in quashing of the FIR as well as other proceedings arising therefrom. On the basis of compromise arrived at between the parties, a petition filed under Section 13-B of the Hindu Marriage Act has also been allowed on 25.01.2016 and the divorce has been granted with mutual consent.

The dispute between the parties has been settled and the complainant has no objection in quashing of FIR as well as other proceedings arising therefrom. Both the parties are residing separately after getting divorce under Section 13-B of the Hindu Marriage Act.

A larger Bench of this Court in ***Kulwinder Singh vs State of Punjab 2007(3) RCR (Criminal) 1052*** has also observed that the proceedings can be quashed even in case of non-compoundable offences, in case, the compromise is there between the parties.

Accordingly, the present petition is allowed and FIR No.10 dated 06.06.2013 registered under Sections 498-A and 406 IPC at Police Station Mehla Jagraon, District Ludhiana (Rural) along with all consequential proceedings arising therefrom, qua petitioners, namely,

Hemant Garg, Sneh Lata Garg and Naveen Kumar Jindal are hereby quashed.

04.05.2016
gurpreet

(DAYA CHAUDHARY)
JUDGE