

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

Crl. Misc. No.M-29797 of 2015 (O&M)

Date of Decision: 18.05.2016

Palwinder Singh

....Petitioner

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. Balbir Singh Saini, Advocate
for the petitioner.

Ms. Ritu Punj, Addl. A.G., Punjab
for the respondent-State.

Mr. Amandeep Saini, Advocate
for respondent No.2.

DAYA CHAUDHARY, J.

Petitioner, namely, Palwinder Singh is accused in case, FIR No.56 dated 22.05.2015 registered under Sections 406 and 498-A IPC at Police Station Balongi, District S.A.S. Nagar (Mohali) along with all subsequent proceedings arising therefrom on the basis of compromise.

The FIR, in question, was registered on the basis of complaint made by respondent No.2. However, during pendency of the petition, a compromise was arrived at between the parties with the intervention of

respectable persons of the locality and relatives. As per compromise, a joint petition under Section 13-B of the Hindu Marriage Act for dissolution of marriage was filed. It was settled that petitioner will pay ₹ 7,50,000/- in *lump sum* to respondent No.2. An amount of ₹ 04 lacs was paid at the time of recording of first motion statement and the remaining amount was paid at the time of recording of second motion statement. The marriage between the parties was dissolved by way of mutual consent.

Learned counsel for the petitioner submits that the dispute between the parties has been settled. The petition filed under Section 13-B of the Hindu Marriage Act has been allowed and the marriage has been dissolved with mutual consent. Respondent no.2 has been paid the total amount as settled in the compromise.

Complainant-respondent No.2 has no objection in quashing of FIR as well as other proceedings arising therefrom.

It is a matrimonial dispute and has been settled between the parties. Complainant has no grouse against the petitioners as she has been paid amount in *lump sum*, including past, present and future maintenance. No purpose is going to be served, in case, the proceedings are allowed to continue as the complainant is not going to support her version.

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.

By exercising the powers under Section 482 Cr.P.C and by considering the interest of the parties, the present petition is allowed. FIR No.56 dated 22.05.2015 registered under Sections 406 and 498-A IPC at Police Station Balongi, District S.A.S. Nagar (Mohali) along with all

consequential proceedings arising therefrom qua petitioner-
Palwinder Singh are hereby quashed.

18.05.2016
gurpreet

(DAYA CHAUDHARY)
JUDGE