

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

**Criminal Misc. No. M-29904 of 2014 (O&M)
Date of decision: 17.03.2016**

Sukhpal Singh 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. M.S. Bajwa, Advocate
for the petitioners.

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

Mr. K.S. Lakhanpal, Advocate
for respondent No.2.

Daya Chaudhary, J.

The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.294 dated 06.11.2012 registered under Sections 406, 498-A read with Section 34 of Indian Penal Code (for short 'IPC') (Section 376 IPC added later on and Section 495 IPC was deleted) at Police Station Cantonment, District Amritsar City and other consequential proceedings arising therefrom on the basis of compromise arrived at between the parties.

The aforesaid FIR was registered on the basis of complaint made by complainant-respondent No.2-Gurinder Kaur alleging certain allegations of demand of dowry and harassment.

During pendency of the proceedings, a compromise was arrived at between the parties and both the parties have settled their dispute. A written compromise was reduced into writing, which was signed by both the parties and they have decided to withdraw the cases registered against each other and a petition for quashing of FIR was to be filed wherein complainant would have no objection. In compliance of terms and conditions of the settlement arrived at between the parties, the present petition has been filed for quashing of FIR on the basis of compromise.

Learned counsel for the petitioners submits that both petitioner No.1 and respondent No.2 are residing together and now no dispute is there between them. Complainant has no objection in quashing of the FIR and other proceedings.

Notice of motion was issued in the case on 01.09.2014 and vide order dated 18.02.2015, the parties were directed to appear before the trial Court for recording of their statements with regard to compromise.

In response to the said directions issued by this Court, parties have appeared before the Judicial Magistrate Ist Class, Amritsar and their statements were recorded. A report along with the statements of the parties has been sent, which is on record wherein the factum of compromise has been affirmed. Complainant-respondent No.2 has specifically stated in her statement that with the intervention of respectable, a compromise has been arrived at

between her and accused-petitioners and she has started to reside with her husband-petitioner No.1-Sukhpal Singh. She has also stated that she has no objection in quashing of the FIR and other proceedings. It has been mentioned in the report that the compromise effected between the parties is as per free will and without any pressure from either side.

Since the dispute between the parties is matrimonial in nature and the same has been settled by way of compromise; complainant has no objection in quashing of the FIR and other proceedings; petitioner No.1 and complainant have started to reside together subsequently in the matrimonial home, no purpose would be served in case proceedings are continued in future and it would result into wastage of precious time of the Court as the complainant is not going to support the case of the prosecution

Accordingly, keeping in view the compromise arrived at between the parties, the present petition is allowed and the impugned criminal proceedings arising out of FIR No.294 dated 06.11.2012 registered under Sections 406, 498-A read with Section 34 IPC (Section 376 IPC added later on and Section 495 IPC was deleted) at Police Station Cantonment, District Amritsar City as well as all subsequent proceedings arising therefrom qua petitioners, namely, Sukhpal Singh, Balraj Singh and Sukhwinder Kaur, are hereby quashed.

17.03.2016
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(DAYA CHAUDHARY)
JUDGE