

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-31189-2016

Date of Decision:- 23.11.2016

Love Kumar @ Love Sharma and others

....Petitioners

Versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

**Present: Mr. Ritesh Pandey, Advocate,
for the petitioners.**

Mr. APS Gill, AAG, Punjab.

**Mr. M.S. Saini, Advocate,
for respondent No.2.**

RITU BAHRI, J. (Oral)

Present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.171 dated 28.07.2016, under Sections 498-A, 313, 323, 506 read with Section 34 IPC, registered at Police Station Civil Line Batala, District Gurdaspur, on the basis of compromise dated 04.08.2016 (Annexure P-2).

Brief facts of the case are that marriage of complainant was solemnized with petitioner No.1 Love Kumar @ Love Sharma. After the marriage, the behavior of the accused became changed and they started beating to the complainant. Due to incompatibility of temperament, both the parties could not live together as husband and wife. The relationship between them became strained and thereafter, the F.I.R was registered against the petitioners.

Learned counsel for the petitioners submits that keeping in view the peace and harmony, the matter has now been amicably settled

between the parties with the intervention of respectable persons, vide compromise dated 04.08.2016 (Annexure P-2).

During the course of preliminary hearing, the trial Court, was directed to record the statements of all the concerned parties, with regard to the genuineness and validity or otherwise of the compromise dated 04.08.2016 (Annexure P-2), by way of order dated 05.09.2016, by this Court.

In compliance of order dated 05.09.2016 of this Court, the report of the Judicial Magistrate 1st Class, Batala dated 28.09.2016 has been received. As per the report, the statements of all the concerned parties have been recorded and the complainant has no objection, if the present FIR registered against the petitioners is quashed. Statements of the accused and complainant have been recorded to the same effect.

Consequently, in view of the above-said report and in view of the judgments of the Hon'ble Supreme Court in **Dr. Arvind Barsaul etc. Vs. State of Madhya Pradesh and another, 2008(2) RCR (Criminal) 910; Madan Mohan Abbot vs. State of Punjab, 2008(2) RCR (Criminal) 429** and 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**, no useful purpose would be served in prolonging the litigation.

Accordingly, FIR No.171 dated 28.07.2016, under Sections 498-A, 313, 323, 506 read with Section 34 IPC, registered at Police Station Civil Line Batala, District Gurdaspur and all the subsequent proceedings arising therefrom are hereby quashed, on the basis of compromise dated 04.08.2016 (Annexure P-2).

The present petition stands disposed of.

November 23, 2016

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(**RITU BAHRI**)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No