

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

Crl. Misc. No.M-32049 of 2015

Date of Decision: 22.04.2016

Vinod Bansal and another

....Petitioners

Versus

State of Punjab and another

....Respondents

BEFORE :- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- Mohd. Salim, Advocate
for the petitioner.

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

None for respondent No.2.

DAYA CHAUDHARY, J.

Vinod Bansal and Krishna Devi are accused in case FIR No.73 dated 04.08.2015 registered under Sections 498-A and 406 IPC at Police Station City-I, Malerkotla, District Sangrur.

The FIR, in question, was registered on the basis of complaint made by respondent No.2. Subsequently, with the intervention of relatives and respectables, the matter between the parties was amicably settled. Complainant-respondent No.2 has given an affidavit, stating therein, that she has no objection in quashing of FIR as well as other proceedings arising therefrom. Petitioner no.1 and respondent No.2 are husband and wife and they have settled their dispute. Petitioner no.2 is mother-in-law of respondent No.2.

Notice of motion in the case was issued on 16.11.2015 and

directions were also issued to the parties to appear before the Chief Judicial Magistrate/Illaqa Magistrate for recording of their statements with regard to compromise.

In compliance of directions issued by this Court on 16.11.2015, the parties appeared before the Sub Divisional Judicial Magistrate, Malerkotla and their statements were accordingly recorded. Complainant-respondent No.2 has specifically stated in her statement that she has no objection in quashing of the FIR as well as other proceedings arising therefrom.

None has appeared on behalf of complainant-respondent No.2 in spite of service but the statement of complainant-respondent No.2 is there on record, wherein, the factum of compromise has been affirmed.

A perusal of statements of the parties as well as affidavit given by complainant-respondent No.2 and also the report submitted by Sub Divisional Judicial Magistrate, Malerkotla, shows that the compromise arrived at between the parties is genuine and the same has been arrived at without any pressure from either side. It has come in the statement of the complainant that she has no objection in quashing of the FIR as well as other proceedings arising therefrom.

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.

It is a matrimonial dispute and the same has been settled between the parties. No purpose would be served in case the proceedings are allowed to continue in future as the complainant is not going to support the case of the prosecution because of compromise arrived at with the accused persons.

Accordingly, the present petition is allowed and FIR No.73 dated 04.08.2015 registered under Sections 498-A and 406 IPC at Police Station City-I, Malerkotla, District Sangrur along with all consequential proceedings arising therefrom, qua petitioners Vinod Bansal and Krishna Devi are hereby quashed.

22.04.2016
gurpreet

(DAYA CHAUDHARY)
JUDGE