

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

1. Crl. Misc. No. M-32927 of 2015

Gurmeet KaurPetitioner

versus

State of Haryana and others ...Respondents

2. Crl. Misc. No. M-24093 of 2016

Lakhbir Singh & othersPetitioners

versus

State of Haryana and anr. ...Respondents

Date of decision : 23.08.2016

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. R.S. Longia, Advocate
for the petitioner in CRM-M-32927 of 2015 and
for respondent No. 2 in CRM-M-24093 of 2016

Mr. S.K. Gupta, Advocate
for the petitioners in in CRM-M-24093 of 2016 and
for respondent Nos. 2 to 4 in CRM-M-32927 of 2015

Mr. Himmat Singh, AAG, Haryana

RITU BAHRI, J. (Oral)

This order of mine shall dispose of the above two petitions (one filed by complainant as petitioner and other filed by accused as petitioners) wherein prayer is for grant of quashing of FIR No.320, dated 26.11.2011 under Sections 406/498-A/506 IPC, registered at Police Station Pehowa, Disstt. Kurukshetra, on the basis of compromise, vide compromise deed and affidavit dated 09.09.2015 (Annexure P-2 and P-3).

Gurmeet Kaur got married with Lakhbir Singh on 26.03.2007. Due to temperamental differences, both the parties could not live together as husband and wife and they separated. One female child was born out of this wedlock. The relationship between them became strain and thereafter, the F.I.R was registered against the accused/petitioners (CRM-M-24093 of 2016) on account of bringing less dowry and harassment caused by the accused.

However, the matter has now been duly compromised, vide compromise deed dated 09.09.2015 (Annexure P-2). The divorce has also been granted to the parties on 23.12.2015. As per compromise deed, complainant will get Rs.21 lacs as full and final settlement between the parties, which is lying with the third person namely Gurnam Singh and amount will be paid to her after quashing of F.I.R.

In compliance of order dated 16.03.2016 (in CRM-M-32927 of 2015), report of District and Sessions Judge, Kurukshetra has been received in this regard. As per report, statement of complainant and joint statement of petitioner Nos. 2 and 3 (CRM-M-24093 of 2016) have been recorded. However, husband of the complainant has been declared P.O on 02.07.2012 and his statement was not recorded. The complainant stated that since the matter stands compromised between the parties and she does not want to proceed further against the accused and has no objection, if the present F.I.R be quashed against the petitioners. She has further no objection if the P.O proceeding against her husband be also quashed. The compromise has been entered voluntarily. To the same effect is the joint statement given by the

petitioner Nos. 2 and 3.

Keeping in view the fact that the complainant will get Rs.21 lacs, after quashing of present F.I.R and the fact that a status report has been received and complainant has no objection if the P.O proceedings against her husband be also quashed, no useful purpose would be served in prolonging the litigation, in view of the judgment of the Hon'ble Supreme Court in the case of *Dr. Arvind Barsaul etc. versus State of Madhya Pradesh and another 2008(2) RCR (Criminal) 910*,

Accordingly, FIR No.320, dated 26.11.2011 under Sections 406/498-A/506 IPC, registered at Police Station Pehowa, Disstt. Kurukshetra, is quashed along with all consequential proceedings arising therefrom qua petitioners (in CRM-M-24093 of 2016).

The petitions stand disposed of.

23.08.2016
G Arora

(RITU BAHRI)
JUDGE

Whether speaking/reasoned **Yes**

Whether reportable **No**