

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

Crl. Misc. No.M-34418 of 2015

Date of Decision: 02.02.2016

Amandeep Singh and others

....Petitioners

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. Gurbir Singh Pannu, Advocate
for the petitioners.

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

None for respondent No.2.

DAYA CHAUDHARY, J.

This petition has been filed under Section 482 Cr.P.C by the petitioners, namely, Amandeep Singh, Sukhwinder Singh and Harbhajan Kaur for quashing of FIR No.24 dated 07.03.2014 registered under Sections 406 and 498-A IPC at Police Station Women Cell, Ludhiana, District Ludhiana on the basis of compromise arrived at between the parties.

The FIR, in question, was registered on the basis of statement made by respondent No.2. Petitioners are husband, father-in-law and mother-in-law, respectively of respondent No.2. There are allegations of

harassment and demand of dowry against the petitioners. However, with the intervention of mediator before the Mediation and Conciliation Centre of this Court, the matter between the parties has been amicably settled and the decree of divorce has been passed by the District Judge, Ludhiana.

Learned counsel for the petitioners submits that the dispute between the parties has been settled by way of compromise and the complainant has no objection in quashing of FIR and other proceedings.

Learned counsel appearing for respondent No.2 has also affirmed the factum of compromise arrived at between the parties.

Heard the arguments of learned counsel for the parties and have also perused the FIR as well as other documents available on the file, including the statements of the parties recorded in complicate of order passed by this Court on 08.10.2015.

It is a matrimonial dispute and the same has been settled between the parties by way of compromise. Complainant is not interested in continuation of criminal proceedings against the accused petitioners. This Court has the power under Section 482 Cr.P.C to quash the criminal proceedings to secure the ends of justice and to prevent the abuse of process of law.

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.

In this case also, the dispute between the parties has been settled and the complainant has no objection in quashing of FIR as well as other proceedings. The continuation of the proceedings would be a futile exercise and no purpose would be served as the complainant is not going to support the case of the prosecution. It would be in the interest of justice

as well as for betterment of both the parties, if the present petition is allowed and the subsequent proceedings arising therefrom are quashed as the dispute is of matrimonial nature.

In view of the above, the present petition is allowed and FIR No.24 dated 07.03.2014 registered under Sections 406 and 498-A IPC at Police Station Women Cell, Ludhiana, District Ludhiana along with all subsequent proceedings arising therefrom qua petitioners, namely, Amandeep Singh, Sukhwinder Singh and Harbhajan Kaur, are hereby quashed.

02.02.2016
gurpreet

(DAYA CHAUDHARY)
JUDGE