

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

1. Crl. Misc. No. M-34780 of 2015

Paramjit Singh and othersPetitioners
versus

State of Punjab and another ...Respondents

2. Crl. Misc. No. M-8324 of 2016

Charanjit Singh and othersPetitioners
versus

State of Punjab and another ...Respondents

3. Crl. Misc. No. M-6901 of 2016

Charanjit SinghPetitioner
versus

State of Punjab and another ...Respondents

Date of decision : 19.10.2016

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr S.P.S. Sidhu, Advocate
for the petitioner (s) in all three above mentioned petitions

Ms. Manpreet Dhaliwal, AAG, Punjab

Mr. Harkeerat Singh, Advocate
for respondent No. 2 in all three above mentioned petitions

RITU BAHRI, J. (Oral)

By this common order, Crl. Misc. No. M-34780 of 2015, 8324 and 6901 of 2016 shall be decided together wherein prayer is for quashing of FIR No. 182 dated 03.08.2014 under Sections 406/498-A/120-B IPC, registered at Police Station City Moga, District Moga, proclamation order dated 27.05.2015 and subsequent proceedings arising therefrom on the basis of compromise/receipt (P-1).

Respondent No. 2 lodged the above mentioned F.I.R against the

petitioners with the allegation that she was harassed by them for bringing less dowry. Due to temperamental differences, both the parties i.e respondent No. 2 and Charanjit Singh could not live together as husband and wife. The relationship between them became strain. One child was born out of this wedlock.

During the pendency, the matter has been compromised with the intervention of respectable of the area, vide compromise/receipt dated 02.03.2016.

The husband i.e Charanjit Singh filed the petition i.e CRM-6901 and 8234 of 2016 through his special power of attorney i.e Gurnam Singh, as the petitioner-Charanjit Singh is living abroad. Further he had paid Rs.32 lacs to the complainant as full and final settlement, as is evident from receipt (Annexure P-1).

Affidavit dated 19.10.2016 of Charanjit Singh and affidavit dated 19.10.2016 of respondent No. 2 has been filed in the Court today and as per the affidavit of the complainant, she stated that as per terms of the compromise, she has been paid Rs.32 lacs. Further car and other gold ornaments have been handed over to her. A petition under Section 13-B of the Hindu Marriage Act has also been filed. The legal custody of the minor girl child Rehmat Kaur will remain with her. Neither the father of the child nor any of his family members will claim the custody of the child. She has no objection if the F.I.R be quashed against the petitioners.

To the same effect is the affidavit given by Charanjit Singh through his power of attorney Gurnam Singh.

Complainant is present in the Court and is being identified by Investigation Officer, ASI Kuldeep Singh.

Since the matter stands compromised between the parties, it is a fit case where there is no impediment in the way of the Court to exercise its inherent powers under Section 482 Cr.P.C for quashing of F.I.R's in the interest of justice.

Consequently, in view of the affidavits dated 19.10.2016 filed today by Charanjeet Singh and respondent No. 2 and in view of the judgments of the Hon'ble Supreme Court in Dr. Arvind Barsaul etc. v. 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 judgment of this Court in the case of "Kulwinder Singh and others vs. State of Punjab and another, 2007(3) RCR (Crl.) 1052", no useful purpose would be served in prolonging the litigation.

Accordingly, FIR No. 182 dated 03.08.2014 under Sections 406/498-A/120-B IPC, registered at Police Station City Moga, District Moga and proclamation order dated 27.05.2015, are quashed with all consequential proceedings arising therefrom qua petitioners in all the petitions.

The petitions stand disposed of.

19.10.2016
G Arora

(RITU BAHRI)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No