

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-36741-2016

Date of Decision:- 05.12.2016

Sumit Gambhir

....Petitioner

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Sumit Ahuja, Advocate, for the petitioner.

Ms. Manpreet Dhaliwal, AAG, Punjab.

None for respondent No.3.

RITU BAHRI, J. (Oral)

Present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.118 dated 13.10.2014, under Sections 406 and 498-A IPC, registered at Police Station Women Cell Ludhiana, District Ludhiana, on the basis of compromise dated 26.09.2016 (Annexure P-1).

Brief facts of the case are that the marriage of complainant was solemnized with petitioner No.1 Sumit Gambhir Juneja on 12.05.2013. After the marriage, the behavior of the accused became changed and they started beatings to the complainant on account of demand of dowry. Thereafter, 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 26.09.2016 (Annexure P-1).

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 26.09.2016 (Annexure P-1), by way of order dated 17.10.2016, by this Court.

In compliance of order dated 17.10.2016 of this Court, the report of the Judicial Magistrate 1st Class, Ludhiana dated 02.12.2016 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 petitioners 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.118 dated 13.10.2014, under Sections 406 and 498-A IPC, registered at Police Station Women Cell Ludhiana, District Ludhiana and all the subsequent proceedings arising therefrom are hereby quashed, on the basis of compromise dated 26.09.2016 (Annexure P-1).

The present petition stands disposed of.

December 05, 2016
naresh.k

(**RITU BAHRI**)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No