

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

Crl. Misc. No. M-36469 of 2015

DATE OF DECISION: 29.01.2016

Rishi Sood

.....Petitioner

Versus

State of Punjab and another

.....Respondents

**BEFORE:- HON'BLE MRS. JUSTICE DAYA CHAUDHARY**

1. **Whether reporters of local newspaper may be allowed to see 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. SK Gupta, Advocate  
for the petitioner.

Mr. Rupam Aggarwal, DAG, Punjab.

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**DAYA CHAUDHARY, J.**

The present petition has been filed under section 482 Cr.P.C. for quashing of FIR No. 72 dated 27.7.2013 registered under Section 498-A IPC at Police Station Women District Ludhiana, on the basis of compromise arrived at between the parties.

Aforesaid FIR was registered on the basis of statement made by respondent No.2, wherein, she has stated that her marriage with petitioner was solemnized on 30.6.2009. After marriage both the parties started residing together and out of the said wedlock one female child was also born. Thereafter a dispute arose between the parties and aforesaid FIR was registered. During pendency of the proceedings, a better sense prevailed between the parties and they have settled their dispute by way of

compromise before Lok Adalat, Ludhiana. As per compromise arrived at between the parties, the petitioner has paid an amount of ₹ 2,50,000/- to complainant-respondent No.2 as full and final payment. Complainant-respondent No.2 has also suffered her statement that she has received full and final payment and has no objection in quashing of the FIR. A petition filed under Section 13 of the Hindu Marriage Act by the petitioner was also withdrawn on 6.12.2014. Thereafter a petition under Section 13-B of the Hindu Marriage Act for dissolution of marriage by mutual consent was filed and the same was allowed. The marriage between the parties has been dissolved by decree of divorce with mutual consent on 2.7.2015.

While issuing notice of motion by this Court on 21.10.2015, both the parties were directed to appear before the trial Court for recording of their statements with regard to compromise.

In response to the said directions, the parties appeared before JMJC, Ludhiana and their statements were recorded, wherein, factum of compromise has been affirmed.

The dispute between the parties is of matrimonial in nature and the same has been settled by way of compromise. All the litigations pending between the parties have been withdrawn. Complainant-respondent No.2 has received the amount as settled in the compromise. She is also satisfied with the settlement and has specifically stated in her statement that she has no objection in quashing of the FIR.

By exercising the powers provided under Section 482 Cr.P.C.; by keeping in view the interest of the parties; also the fact that marriage between the parties has been dissolved by decree of divorce with mutual consent; complainant-respondent No.2 has received the amount in lump sum as maintenance and she has no objection in quashing of the FIR and the fact that the controversy in the present case is squarely covered by the

decision of Five Judges Bench of this Court rendered in **Kulwinder Singh v. State of Punjab** 2007(3) R.C.R. (Cri) 1052, wherein, it has been held that criminal proceedings can be quashed even in offences which are non-compoundable, the present petition is allowed. Impugned criminal proceedings arising out of FIR No. 72 dated 27.7.2013 registered under Section 498-A IPC at Police Station Women District Ludhiana as well as all subsequent proceedings arising therefrom qua petitioner, namely, Rishi Sood are quashed.

January 29, 2016  
pooja

**(DAYA CHAUDHARY)**  
**JUDGE**