

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

**Criminal Misc. No. M-36800 of 2015
Date of decision: 08.01.2016**

Manjit Lal

..Petitioner

Versus

State of Punjab and another

..Respondents

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

- 1. Whether reporters of local newspapers 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. Sandeep Arora, Advocate
for the petitioner.

Mr. Varun Sharma, A.A.G., Punjab
for respondent No.1 – State.

Complainant-respondent No.2 in person.

Daya Chaudhary, J.

The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.27 dated 08.04.2013 registered under Section 498-A of Indian Penal Code (for short 'IPC') at Police Station Garhshankar, District Hoshiarpur along with all consequential proceedings arising therefrom on the basis of compromise.

The aforesaid FIR was registered on the basis of complaint made by respondent No.2-Sunita Rani. Subsequently, during pendency of the proceedings, a compromise has been arrived at between the parties with the intervention of the relatives and the

matter has been amicably settled. The complainant has sworn an affidavit regarding amicable settlement between the parties and has also stated that she has no objection in quashing of the FIR and other proceedings.

While issuing notice of motion on 29.10.2015, 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 issued by this Court, the parties have appeared before the trial Court and their statements were recorded. After recording of their statements, a report along with the statements of the parties has been sent by Sub Divisional Judicial Magistrate, Garhshankar, which is on record wherein the factum of compromise has been affirmed. It has also been mentioned in the report that the compromise arrived at between the parties is as per their free will and is without any coercion and duress. Complainant-respondent No.2 has specifically stated in her statement that she has entered into a compromise with the accused party without any pressure and has no objection in quashing of the FIR and other proceedings.

Learned counsel for the petitioner submits that the dispute between the parties has been settled and both the parties are residing together and are happy in their matrimonial life. Complainant has no objection in quashing of the FIR and other proceedings arising therefrom.

The factum of compromise has also been affirmed by complainant-respondent No.2, who is present in the Court.

Since the dispute between the parties is matrimonial in nature and the same has been settled by way of compromise and offence is only under Section 498-A IPC; both the parties are residing together and are happy in their matrimonial life; complainant has no objection in quashing of the FIR and other proceedings, no purpose would be served in case proceedings are continued in future as it would amount to wastage of precious time of the Court.

Accordingly, the present petition is allowed and impugned criminal proceedings arising out of FIR No.27 dated 08.04.2013 registered under Section 498-A IPC at Police Station Garhshankar, District Hoshiarpur as well as all subsequent proceedings arising therefrom qua the petitioner-Manjit Lal are hereby quashed .

08.01.2016
neetu

(DAYA CHAUDHARY)
JUDGE