

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No. M-37483 of 2015

DATE OF DECISION: 27.04.2016

Santosh Govil

.....Petitioner

Versus

State of Haryana 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. D.S. Bishnoi, Advocate
for the petitioner.

Mr. Sanjay K. Saini, AAG, Haryana.

Mr. Barjinder Singh, Advocate
for respondent No.2.

DAYA CHAUDHARY, J.

The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No. 866 dated 26.12.2013 registered under Sections 498-A/406/506/34 IPC at Police Station Sadar Gurgaon, District Gurgaon, on the basis of compromise.

The marriage between the petitioner and respondent No.2 was solemnized on 21.4.2008 but after some time, some differences arose between them. Respondent No.2 by raising certain allegations of demand of dowry and harassment made a complaint on the basis of which aforesaid FIR was registered. During pendency of the proceedings before

the trial Court, with the intervention of the respectables and family members, the dispute between the parties was resolved by way of compromise. As per compromise arrived at between the parties, a petition under Section 13-B of the Hindu Marriage Act for dissolution of marriage was filed, which has already been allowed. Now the present petition has been filed for quashing of the FIR on the basis of compromise.

Learned counsel for the petitioner contends that the matter has been compromised between the parties and the complainant has no objection in quashing of the FIR and other proceedings.

The factum of compromise has also been affirmed by learned counsel for respondent No.2.

Heard the arguments advanced by learned counsel for the parties and have also perused the documents available on the file including the statements of the parties recorded in compliance of direction issued by this Court on 21.1.2015 as well as the report sent by Additional Chief Judicial Magistrate, Gurgaon.

As per report, the compromise arrived at between the parties is as per their free will and there is no pressure upon them from other side. The petition filed under Section 13-B of the Hindu Marriage Act has already been allowed and the divorce has been granted to the parties with mutual consent. The complainant has specifically stated in her statement that she has no objection in quashing of the FIR and other proceedings. It has also been mentioned in the report that as per terms and conditions of the compromise, the amount settled between the parties has already been paid to the complainant.

In view of the facts as mentioned above and by considering the compromise arrived at between the parties, which is of matrimonial nature and also the fact that the petition filed under Section 13-B of the Hindu

Marriage Act has already been allowed and marriage has been dissolved with mutual consent, the present petition is allowed and the impugned criminal proceedings arising out of FIR No. 866 dated 26.12.2013 registered under Sections 498-A/406/506/34 IPC at Police Station Sadar Gurgaon, District Gurgaon as well as all subsequent proceedings arising therefrom qua petitioner, namely, Santosh Govil are hereby quashed.

April 27, 2016
pooja

(DAYA CHAUDHARY)
JUDGE