

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

Crl. Misc. No.M-37736 of 2015

Date of Decision: 01.02.2016

Sanjeev Kumar and others

....Petitioners

Versus

State of Punjab through its Principal Chief
Secretary and another

....Respondents

BEFORE :- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

- 1. Whether reporters of local newspapers may be allowed to see the 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. Sagir Ahmed, Advocate
for the petitioners.

Mr. Rupam Aggarwal, D.A.G., Punjab
for the respondent-State.

None for respondent No.2.

DAYA CHAUDHARY, J.

This petition has been filed under Section 482 Cr.P.C for quashing of FIR No.317 dated 29.10.2008 registered under Sections 313, 406, 498-A/34 IPC at Police Station Sadar, Jalandhar on the basis of compromise arrived at between the parties, which is annexed as Annexure P-2.

On the basis of complaint made by respondent No.2, the FIR, in question, was registered against the petitioners. However, during pendency of the proceedings, a compromise was arrived at between the parties. Petitioner no.1 and respondent No.2 are residing together and no

ill-will is left among them. Complainant also executed an affidavit admitting the factum of compromise. Petitioners as well as complainant appeared before the Additional Chief Judicial Magistrate, Jalandhar and suffered their statements with regard to compromise. Even at the time of hearing of bail petition, the complainant made a statement that she has no objection, in case, bail is granted to accused Sanjeev Kumar and others. Even in the statements of the parties recorded as per directions issued by this Court on 19.11.2015, the factum of compromise has been affirmed.

A report in this regard has been sent, stating therein, that the compromise arrived at between the parties is without any pressure and the compromise is as per their free will. Complainant has also stated in her statement that she has no objection in quashing of FIR and other proceedings.

Today also, the complainant is present in the Court and submits that she has no objection, in quashing of FIR and other proceedings. She has also stated that she is residing with her husband- Sanjeev Kumar and has no grouse against him and other petitioners as well.

Since the dispute between the parties has been settled by way of compromise and the complainant has no objection in quashing of the proceedings and moreover, no purpose would be served, in case, the proceedings are allowed to be continued, the ultimate result would be acquittal as the complainant is not going to support the case of the prosecution. The continuation of the proceedings would be an exercise in futility which will not only be the wastage of valuable time of the Court but it would also be not in the interest of both the parties and would be an abuse of process of the Court.

Accordingly, the present petition is allowed and FIR No.317 dated

29.10.2008 registered under Sections 313, 406, 498-A/34 IPC at Police Station Sadar, Jalandhar along with all consequential proceedings arising therefrom, qua petitioners, namely, Sanjeev Kumar, Dilbar Khan, Shindi @ Surinder Kaur and Liaqat Ali are hereby quashed.

01.02.2016
gurpreet

(DAYA CHAUDHARY)
JUDGE