

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No. M-39600 of 2015

DATE OF DECISION: 04.02.2016

Manjeet Singh

.....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. LM Gulati, Advocate
for the petitioner.

Ms. Rimplejeet Kaur, AAG, Punjab.

Ms. Gurjit K. Sandhu, Advocate
for respondent No.2.

DAYA CHAUDHARY, J.

This petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.36 dated 20.3.2014 registered under Sections 406/498-A of Indian Penal Code (for short 'IPC') at Police Station Women Cell, Patiala and other consequential proceedings arising therefrom on the basis of compromise arrived at between the parties.

Aforesaid FIR was registered on the basis of complaint made by respondent No.2, wherein, certain allegations were levelled against the accused-petitioner regarding demand of dowry and harassment.

Subsequently, the dispute between the parties was settled by way of

compromise and a petition under Section 13-B of the Hindu Marriage Act was filed for dissolution of marriage with mutual consent, wherein, first motion statement was recorded before District Judge, Patiala on 13.10.2015.

While issuing notice of motion on 26.11.2015, 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 Judicial Magistrate Ist Class, Patiala and their statements were recorded. After recording of their statements, a report along with the statements of the parties has been sent, 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 genuine and without any pressure from either side. Complainant-respondent No.2 has specifically stated in her statement that she has settled the dispute with the accused person and has no objection in quashing of the FIR and other proceedings. She has also stated that an amount of ₹ 4 lacs has been received by her on the date of first motion statement and the remaining amount of ₹ 4 lacs will be paid on the date of second motion statement.

Learned counsel for respondent No.2 has also not disputed the factum of compromise arrived at between the parties as well as the statements recorded before the trial Court.

Heard.

Since the dispute between the parties is matrimonial in nature and the same has been settled by way of compromise; 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. Moreover, it would not be in the interest of the parties as the complainant is not going to support the case of the prosecution. The purpose of the compromise is to maintain peace and harmony in the relations.

Accordingly, the present petition is allowed and the impugned criminal proceedings arising out of FIR No.36 dated 20.3.2014 registered under Sections 406/498-A IPC at Police Station Women Cell, Patiala as well as all subsequent proceedings arising therefrom qua petitioner, namely, Manjeet Singh, are hereby quashed.

February 04, 2016
pooja

(DAYA CHAUDHARY)
JUDGE