

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

**Criminal Misc. No. M-39644 of 2015
Date of decision: 12.04.2016**

Vikramjeet Grover @ Vikram Grover

..Petitioner

Versus

State of Haryana 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. Krishan Singh, Advocate
for the petitioner.

Mr. Sanjay Kumar Saini, AAG, Haryana
for respondent No.1 – State.

Mr. S.K. Biriwal, Advocate
for respondent No.2.

Daya Chaudhary, J.

This petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.571 dated 22.12.2012 registered under Sections 498-A, 406 and 120-B of Indian Penal Code (for short 'IPC') at Police Station City Jagadhri, District Yamuna Nagar on the basis of compromise arrived at between the parties.

The marriage between the petitioner-Vikramjeet Grover @ Vikram Grover was solemnized with respondent No.2 on 29.07.2007 and both of them resided together as husband and wife but no child

was born out of said wedlock. Some differences arose between the parties and it became difficult for them to reside together. Thereafter, the complainant-respondent No.2 moved a complaint, on the basis of which, the aforesaid FIR was registered against the petitioner. The petitioner had earlier filed a petition under Section 13 of the Hindu Marriage Act, 1955 (for short 'the Act') seeking decree of divorce. During pendency of the divorce petition, the dispute was resolved between the parties with the intervention of close relatives and family members. It was agreed that the petitioner would pay total sum of ₹9 lacs to respondent No.2 towards all her maintenance and alimony. All *istridhan* items have already been received by respondent No.2. Both the parties agreed to convert the petition filed under Section 13 of the Act to Section 13-B of the Act for dissolution of marriage with mutual consent. A joint statement of the parties was recorded on 16.10.2015. Out of total settled amount, an amount of ₹3.5 lacs was paid by way of draft and ₹1 lac in cash to respondent No.2 at the time of first motion statement. The remaining amount of ₹4.5 lacs is to be paid at the time of recording of second motion statement i.e., 25.04.2016. The petition filed under Section 125 Cr.P.C. by respondent No.2 was also withdrawn.

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 appeared before Additional Chief Judicial Magistrate, Yamuna Nagar at Jagadhri and their statements with regard to compromise were recorded. 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 without any influence or pressure. Complainant-respondent No.2-Manjeet Kaur has specifically stated in her statement that she has no objection in quashing of the FIR and other proceedings and the compromise is without any pressure from other side.

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 result into wastage of precious time of the Court as the complainant is not going to support the case of the prosecution. Moreover, the purpose of the compromise is to maintain peace and harmony in the relations.

It has been held by Five Judges' Bench of our own High Court in **Kulwinder Singh and others vs. State of Punjab and others, 2007(3) RCR (Criminal) 1052** that this Court has wide power to quash the criminal proceedings even in non-compoundable offences, notwithstanding the bar under Section 320 of the Criminal Procedure Code in order to prevent abuse of the process of law or to

secure the ends of justice.

Accordingly, the present petition is allowed and the impugned criminal proceedings arising out of FIR No. 571 dated 22.12.2012 registered under Sections 498-A, 406 and 120-B IPC at Police Station City Jagadhri, District Yamuna Nagar as well as all subsequent proceedings arising therefrom qua petitioner, namely, Vikramjeet Grover @ Vikram Grover, are hereby quashed.

12.04.2016
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(DAYA CHAUDHARY)
JUDGE