

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

Crl. Misc. No. M-40411 of 2015

Date of decision : 24.10.2016

Anil Kumar and ors.

.....Petitioner

versus

State of Haryana and ors.

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. A.K. Bura, Advocate
for the petitioners

Mr. D.R. Singla, DAG, Haryana

RITU BAHRI, J. (Oral)

Quashing of FIR No. 353 dated 31.08.2010 under Sections 406/498-A IPC, registered at Police Station Mujesar, District Faridabad (Haryana), is being sought on the basis of affidavit of Sarita (Annexure P-2) and statement made by Rajni in a divorce petition (P-4).

Respondent No. 2 got married to petitioner No. 1 and respondent No. 3 got married to petitioner No. 2 on 12.07.2007. Due to temperamental differences, both the parties could not live together as husband and wife. Out of the said wedlock, two female children were born to respondent No. 2 and one male child was born to respondent No. 3. The relationship between them became strain and thereafter, the F.I.R was registered against the petitioners on account of bringing less dowry and harassment caused by the petitioners.

However, the matter has now been duly compromised, vide affidavit of Sarita (Annexure P-2) and statement made by Rajni in a divorce

petition (P-4).

In compliance of order dated 01.12.2015, report dated 04.01.2016 of District and Sessions Judge, Faridabad, has been received in this regard. As per report, statement of parties have been recorded. Complainant-Sarita has compromised the matter with all accused persons but complainant-Rajni stated there is no settlement arrived between her and accused persons except her husband i.e Mukesh. On the other hand, Sarita stated that she does not want to proceed further against the accused and has no objection, if the present F.I.R be quashed against the petitioners. The compromise has been entered voluntarily. To the same effect is the statement given by the petitioners.

The only question for consideration before this Court that whether the present F.I.R can be quashed if the other complainant gave the statement that she is not ready to settle the dispute with the accused persons except her husband.

Learned counsel for the petitioner has referred to statement given by Rajni on 01.02.2016 in a divorce petition wherein she stated that all dispute and issues have been settled amicably and no claim is pending against each other. She has no objection if the F.I.R be quashed filed by her husband.

Thus, once the complainant-Rajni has settled all the disputes and has no objection, if the F.I.R be quashed, no useful purpose would be served in prolonging the litigation, in view of the judgment of the Hon'ble Supreme Court in the case of ***Dr. Arvind Barsaul etc. versus State of Madhya Pradesh and another 2008(2) RCR (Criminal) 910.***

Accordingly, FIR No. 353 dated 31.08.2010 under Sections

GAURAV ARORA
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I attest to the accuracy and
integrity of this document

406/498-A IPC, registered at Police Station Mujesar, District Faridabad (Haryana), is quashed along with all consequential proceedings arising therefrom qua petitioners.

The petition stands disposed of.

24.10.2016
G Arora

(RITU BAHRI)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether reportable</i>	<i>No</i>