

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

265

**Criminal Misc. No. M-40581 of 2015
Date of decision: January 21, 2016**

Satnam Singh and others

....Petitioners

versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

1. Whether Reporters of local papers may be allowed to see the judgment? Yes/No
2. To be referred to the Reporters or not? Yes/No
3. Whether the judgment should be reported in the Digest? Yes/No

Present: Mr. Arshdeep Singh Brar, Advocate for the petitioners.

Mr. Rupam Aggarwal, DAG, Punjab.

Mr. Vishal Rattan Lamba, Advocate for respondent No.2.

DAYA CHAUDHARY, J.(Oral)

The present petition has been filed under Section 482 Cr.P.C. by petitioners, namely, Satnam Singh, Baldev Singh and Harpal Singh @ Jaspal Singh for quashing of FIR No.43 dated 18.05.2015 registered under Sections 498A, 506 of the Indian Penal Code at Police Station Sadar, Moga (Annexure P-1) and other proceedings arising therefrom on the basis of compromise arrived at between the parties.

Brief facts of the case are that the marriage of petitioner No.1 was solemnized with respondent No.2 on 19.09.2007 and subsequently, some differences/misunderstanding arose between them. On the basis of complaint made by respondent No.2, the aforesaid FIR was registered against the petitioners.

Learned counsel for the petitioners submits that during pendency of the proceedings, petitioner No.1 and respondent No.2 have settled their dispute amicably and now they are residing together as husband and wife. Learned counsel also submits that the complainant has no objection in quashing of the FIR and other proceedings arising therefrom.

Respondent No.2, namely, Mandeep Kaur has given an affidavit which is annexed as Annexure P-2 with the petition wherein she has specifically stated that she does not want to continue with the proceedings against her husband as well as her in-laws and the aforesaid FIR was registered due to some misunderstanding and on the asking of her parents. She has further stated that now the misunderstanding has been removed and she is residing in her matrimonial home with her own will.

Petitioner No.1, namely, Satnam Singh and respondent No.2, namely, Mandeep Kaur are present in the Court and have been identified by their respective counsel. Respondent No.2 has also produced photocopy of her voter card as well as Aadhaar Card as identity proof in the Court.

Petitioner No.1 and respondent No.2 have stated in the Court that they want to live together in matrimonial life and undertake not to create any problem against each other in future. The aforesaid FIR was registered due to some misunderstanding between them and now they have no grouse against each other.

Keeping in view the submissions made by learned counsel for the parties as well as the parties who are present in the Court, there is no justification in continuation of the proceedings as the dispute between the parties has been settled by way of compromise and now they have no grouse against each other. The complainant has specifically stated in her affidavit that the aforesaid FIR was registered due to some misunderstanding and on the asking of her parents and she has no objection in quashing of the FIR and other proceedings arising therefrom.

Since it is a matrimonial dispute which has been settled by way of compromise and the parties are residing together as husband and wife and the complainant has no objection in quashing of the FIR and other proceedings arising therefrom. Continuation of proceedings would be a futile exercise as the complainant is not going to support the case of the prosecution. It would not only be mere wastage of the valuable time of the Court but it would also not be in the interest/welfare of both the parties. This Court has inherent powers under Section 482 Cr.P.C. to quash the criminal proceedings even in non-compoundable offences on the basis of compromise.

Accordingly, this petition is allowed and FIR No.43 dated 18.05.2015 registered under Sections 498A, 506 of the Indian Penal Code at Police Station Sadar, Moga (Annexure P-1) as well as other proceedings arising therefrom qua petitioners, namely, Satnam Singh, Baldev Singh and Harpal Singh @ Jaspal Singh are hereby quashed.

January 21, 2016
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(DAYA CHAUDHARY)
JUDGE