

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

**Criminal Misc. No.35645 of 2015 in
Criminal Misc. No. M-7458 of 2012
Date of decision: 17.02.2016**

Vishal Gulati and others

..Petitioners

Versus

State of Punjab 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. Naveen Sharma, Advocate
for the applicants-petitioners.

Mr. Rupam Aggarwal, DAG, Punjab
for respondent No.1 – State.

Mr. Ashutosh Hoshiarpuri, Advocate and
Mr. Harminder Singh, Advocate
for respondent No.2.

Daya Chaudhary, J. (Oral)

CRM-35645 of 2015

The present application has been filed for disposal of main petition as during pendency of the main petition, a compromise has been effected between the parties.

Notice in the application was issued.

The main petition stands admitted on 07.08.2013.

Learned counsel for the applicant-petitioners requests for hearing of main petition.

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On his request, the main petition is taken up for hearing today itself.

CRM-M-7458 of 2012

The present petition has been filed for quashing of FIR No.255 dated 07.12.2011 registered under Sections 498-A, 406, 506 and 120-B of Indian Penal Code (for short 'IPC') at Police Station City Ferozepur, District Ferozepur.

Learned counsel for the petitioners submits that during pendency of this petition, a compromise has been effected between the parties and the amount settled between the parties has been paid to complainant-respondent No.2. All the cases pending between the parties have been withdrawn and the petition filed under Section 13-B of the Hindu Marriage Act, 1955 has also been allowed.

Learned counsel appearing for the complainant-respondent No.2 has also affirmed the factum of compromise arrived at between the parties as well as the receipt of settled amount by the complainant.

Complainant-respondent No.2-Ramita is also present in the Court and submits that she has no objection in quashing of the FIR and other proceedings. She has also admitted the receipt of amount settled in the compromise by her.

Since the dispute between the parties is matrimonial in nature and the same has been settled by way of compromise;

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complainant has no objection in quashing of the FIR and other proceedings; the divorce petition filed on mutual consent has been allowed, 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 interested in pursuing the case against the petitioners.

Accordingly, the present petition is allowed and the impugned criminal proceedings arising out of FIR No.255 dated 07.12.2011 registered under Sections 498-A, 406, 506 and 120-B IPC at Police Station City Ferozepur, District Ferozepur as well as all subsequent proceedings arising therefrom qua petitioners, namely, Vishal Gulati, Shri Prem Nath Gulati, Smt. Neelam Gulati, Vikas Gulati, Neha Gulati, Sarika, Mamta and Aarti Arora, are hereby quashed.

17.02.2016
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**(DAYA CHAUDHARY)
JUDGE**