

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No. M-4176 of 2015

DATE OF DECISION: 22.01.2016

Amandeep Singh and another

.....Petitioners

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. L.S. Goraya, Advocate
for the petitioners.

Mr. Rupam Aggarwal, DAG, Punjab.

Mr. Anil Bansal, Advocate
for respondent No.2.

DAYA CHAUDHARY, J.

Petitioners Amandeep Singh and Paramjit Kaur are accused in case FIR No. 206 dated 31.12.2011 registered under Sections 406, 498-A IPC at Police Station Sultanwind, District Amritsar and have filed this petition for quashing of aforesaid FIR on the basis of compromise arrived at between the parties.

Marriage of petitioner No.1 and respondent No. 2 was solemnized on 3.9.2009 as per Sikh rites and rituals. Thereafter a dispute arose between the parties and on the basis of complaint made by respondent No.2, aforesaid FIR was registered. Initially the FIR was

registered against the petitioners and father-in-law, namely, Surjit Singh but he was declared innocent and challan was not presented against him. During pendency of the proceeding, the matter was amicably settled between the parties and respondent No.2 has no objection in quashing of the FIR and other proceedings arising therefrom.

While issuing notice of motion on 9.2.2015, 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 JMJC, Amritsar and their statements were recorded. A report in this regard along with the statements of the parties has been received, which is on record wherein factum of compromise has been affirmed. It has been mentioned in the report that the compromise effected between the parties is voluntarily and the same is as per their free will, without any fear or undue influence from either side. Complainant-respondent No.2-Lakhpreet Kaur has stated that she has no objection in quashing of the FIR and all consequential proceedings arising therefrom.

It is a matrimonial dispute and the same has been settled by way of compromise, complainant is satisfied with the compromise and does not want to pursue the litigation against the accused persons. She has specifically stated in her statement that she has no objection in quashing of the FIR and other proceedings. A perusal of terms and conditions of the compromise arrived at between the parties, which is annexed as Annexure P-2 with the petition, would show that none of the party will take action against each other and a petition for divorce under Section 13-B of the Hindu Marriage Act will be filed with mutual consent. Both the parties have signed the compromise and undertook to abide by the terms and conditions of the settlement.

Since the parties have compromised their dispute and in view of the compromise arrived at between the parties, no purpose would be served in case proceedings are continued as it would amount to wastage of precious time of the Court as the complainant is not going to support the case of the prosecution and as such its continuation would be a futile exercise.

Accordingly by considering the compromise arrived at between the parties; by exercising the powers under Section 482 Cr.P.C. and also keeping in view the interest of the parties as well as their statements recorded before the trial Court, the present petition is allowed and impugned criminal proceedings arising out of FIR No. 206 dated 31.12.2011 registered under Sections 406, 498-A IPC at Police Station Sultanwind, District Amritsar as well as all subsequent proceedings arising therefrom qua petitioners, namely, Amandeep Singh and Paramjit Kaur are hereby quashed.

January 22, 2016
pooja

(DAYA CHAUDHARY)
JUDGE