

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

**Crl. Misc. No. M-42497 of 2015(O&M)
Date of decision : 07th October, 2016**

Iqbal Singh

..... Petitioner

versus

State of Punjab & Anr.

... Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Sameer Sachdeva, Advocate
for the applicant-petitioner.

Mr. Arshdeep S. Kler, DAG Punjab.

Mr. B.S. Jaswal, Advocate
for respondent No.2.

--

JAISHREE THAKUR, J.

This petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.71 dated 13.05.2008, under Sections 376, 406, 420, 498-A, 120-B of Indian Penal Code, registered at Police Station Morinda, District Ropar, Punjab.

Iqbal Singh, the present petitioner, entered into matrimony with respondent No.2-Satbir Kaur, however, on account of differences between the parties, FIR No.71 dated 13.05.2008, under Sections 376, 406, 420, 498-A, 120-B of Indian Penal Code came to be registered at Police Station Morinda, District Ropar, Punjab

against the petitioner. Eventually, the matter has been compromised between the parties and the instant petition came to be filed seeking quashing of the aforesaid FIR. The matter was taken up on 06th September, 2016 and the parties were directed to appear before the trial court/Illaqua Magistrate on 15th September, 2016, for getting their statements recorded with regard to the compromise. Pursuant to the said directions, the petitioner and respondent No.2 through her attorney i.e. Father Bhag Singh appeared before learned JMIC, Ropar on 15th September, 2016. A categoric statement was made by respondent No.2 through her attorney that a compromise had been effected with the petitioner out of free will, without any fear, threat, coercion or pressure and that compromise itself was genuine. It was further stated that in case the FIR is quashed, the attorney and his daughter Satbir Kaur-respondent No.2 would have no objections to the same.

The application has been filed today seeking to place on the said statements on record along with a prayer for quashing of the said FIR. It is also contended that the petitioner is suffering from nervous disorder leading to a painful condition in his lower leg and need to return to the State where he is a resident, in order to undergo a surgery.

I have heard both the counsel for the parties and noted that respondent No.2 herein does not dispute the factum of entering that statement before learned JMIC, Ropar or that respondent No.2 would have no objection in case FIR No.71 dated 13.05.2008, under

Sections 376, 406, 420, 498-A, 120-B of Indian Penal Code, registered at Police Station Morinda, District Ropar, Punjab, is quashed and set aside.

In view of the compromise that has been arrived at between the parties and without waiting for the formal report of the learned JMIC, Ropar, I deem it appropriate to quash the FIR No.71 dated 13.05.2008, under Sections 376, 406, 420, 498-A, 120-B of Indian Penal Code, registered at Police Station Morinda, District Ropar, Punjab as prayed for on the basis of compromise. By relying upon the judgment of Full Bench judgment of this Court in **Kulwinder Singh and others Vs. State of Punjab and another, 2007 (3) RCR (Criminal) 1052**, it is held that no useful purpose will be achieved in allowing the FIR to continue. Accordingly, the instant petition is allowed and the aforesaid FIR and all consequent proceedings arising therefrom are quashed qua the petitioner.

October 07, 2016

vijay saini

**(JAISHTREE THAKUR)
JUDGE**

Whether speaking/reasoned Yes/No

Whether reportable Yes/No