

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

**CRM-M No.42656 of 2015 (O&M)
Date of decision: 03.08.2016**

Gurpreet Singh

...Petitioner

Vs.

State of Punjab and another

...Respondents.

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr.S.N.Gaur, Advocate
for the petitioner.

Mr.J.S.Riar, AAG, Punjab.

Mr. J.P. Ahlawat, Advocate
for respondent No.2.

RITU BAHRI,J.(ORAL)

CRM No.22148 of 2016.

This is an application for pre-poning the date of hearing of the main petition i.e. 11.11.2016.

After hearing counsel for the parties and going through the averments of the application, the same is allowed and the main case is taken up on board today itself.

CRM-M No.42656 of 2015

This petition has been filed under Section 482 read with Section 320 of the Code of Criminal Procedure for quashing the FIR No.129 dated 24.10.2015 (Annexure P-1) under Sections 406, 498-A IPC, registered at Police Station Amloh, District Fatehgarh Sahib, Punjab and consequential proceedings arising therefrom, on the basis of compromise between the parties.

The FIR was registered on the basis of statement made by

Kamaljeet Kaur-complainant/respondent No.2 to the effect that her marriage was solemnized on 23.11.2012 with Gurpreet Singh-petitioner. It was alleged by the complainant that after some time of their marriage, the relations between petitioner and respondent No.2 became strained and with the passage of time, both of them parted company. The petitioner and respondent No.2 have decided to dissolve their marital tie and filing a joint divorce petition under Section 13-B of the Hindu Marriage Act. They have decided to lead their independent life and they both have decided to comply with the terms and conditions of the said settlement (Annexure P-2). As per agreement, the petitioner has already paid Rs.2 lacs to respondent No.2.

During the pendency of the trial, on 29.01.2016, both the parties were directed to be present before Illaqa Magistrate on 15.02.2016 for recording of their statements with regard to compromise. Report from the JMIC, Amloh, has been received in this regard. As per report, they appeared before the trial Court on 15.02.2016 for getting their statements recorded in support of the compromise. In this regard statements of complainant and accused -petitioner were recorded to the effect that they have compromised the matter and Kamaljeet Kaur-complainant has no objection if the present FIR against the accused is quashed. Statement of the accused-petitioner was also recorded to the same effect. In view of separate statements of the parties, the Court is satisfied that the compromise is valid and genuine one.

Learned counsel for the petitioner has placed on record the certified copy of the statements of Gurpreet Singh - petitioner and the

complainant-Kamaljeet Kaur to the effect that compromise has been effected without undue influence. Compromise is not the result of any pressure or coercion in any manner.

Consequently, in view of the status report and the judgment of the Hon'ble Supreme Court in the case of **Madan Mohan Abbot Vs. State of Punjab 2008 (2) RCR (Criminal) 429**, the law laid down by the Full Bench of this Court in the case of **Kulwinder Singh and others Vs. State of Punjab and another 2007 (3) RCR (CrI.) 1052**, this Court is of the view that no useful purpose would be served in prolonging the litigation.

Accordingly, FIR No. 129, dated 24.10.2015, for the offence under Sections 406, 498-A IPC registered at Police Station Amloh, District Fatehgarh Sahib, Punjab (Annexure P-1) is quashed along with all consequential proceedings arising therefrom qua the petitioner.

The petition stands disposed of accordingly.

(RITU BAHRI)
JUDGE

03.08.2016
hemlata