

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

**CRM-M No. 43050 of 2014
Date of decision: 26.10.2016**

Dr. Manjit Kaur

...Petitioner

Versus

State of Punjab & Another

...Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Bipan Ghai, Senior Advocate with
Mr. Anter Singh Brar, Advocate
for the petitioner.

Mr. Mikhail Kad, AAG, Punjab
for respondent No. 1-State.

Mr. Anuj Kohli, Advocate
for respondent No. 2 along with respondent No. 2 in person.

JAISHREE THAKUR, J. (Oral)

This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No. 65 dated 05.05.2014 (**Annexure P-1**), registered under Sections 406, 498-A and 506 of the Indian Penal Code at Police Station Mataur, District S.A.S. Nagar, Mohali against the petitioner Dr. Manjit Kaur, resident of District Bathinda.

It is contended that petitioner is the mother of Dr. Parneet Singh Brar, husband of the complainant Dr. Navdeep Kaur Boparai. Matrimonial dispute arose between the complainant and Dr. Parneet Singh Brar which led to the filing of FIR No. 65 dated 05.05.2014 registered under the aforesaid sections. After the filing of the said FIR, the matter was settled between the parties on the basis of a compromise which was entered into on 06.05.2016. Dr. Parneet Singh Brar filed CRM-M No. 19270 of 2016

seeking quashing of the FIR No. 65 dated 05.05.2014 registered under the aforesaid sections and in the said petition a co-ordinate Bench of this Court directed the parties to appear before the trial Court to get the statements of Dr. Parneet Singh Brar and the complainant recorded regarding the genuineness of the compromise entered into. Pursuant to the order passed in CRM-M No. 19270 of 2016, the parties appeared before the trial Court and got the statements recorded regarding the genuineness of the compromise. A report was furnished by learned JMIC, Mohali and the matter was referred back to the High Court for disposal of the petition.

This Court, while taking note of the fact that the statements had been recorded and the matter stood compromised between the parties and by relying upon a judgment 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 (Crl.) 1052***, allowed the said petition and quashed the FIR No. 65 dated 05.05.2014 registered under Sections 406, 498-A and 506 of the IPC at Police Station Mataur, District S.A.S. Nagar, Mohali qua the petitioners on 07.10.2016.

In the instant petition, which has been filed for quashing of the same FIR qua the present petitioner, the matter has not been put up before the learned Illaqa Magistrate for recording of the statement regarding genuineness of the compromise that has been arrived at. Respondent No. 2 is present in Court today and she has been identified by the Investigating Officer HC Ravinder Singh. The complainant states that she will have no objection in case FIR No. 65 dated 05.05.2014, registered under Sections 406, 498-A and 506 of the IPC at Police Station Mataur, District S.A.S.

Nagar, Mohali is quashed and set aside qua the petitioner since the matter has already been compromised.

This Court, instead of referring the matter back to the Illaqa Magistrate for recording of the statement again between the parties and respondent No. 2, has satisfied itself regarding genuineness of the compromise after putting question to respondent No. 2, who is present in Court.

Consequently, keeping in view the fact that the dispute has been amicably settled and in view of the law laid down by the Hon'ble Supreme Court in ***Gian Singh Versus State of Punjab and another, 2012(4) RCR (Cr.) 543***, FIR No. 65 dated 05.05.2014 (**Annexure P-1**), registered under Sections 406, 498-A and 506 of the IPC at Police Station Mataur, District S.A.S. Nagar, Mohali and all subsequent proceedings arising out of the same are quashed qua the petitioner.

The petition stands disposed of.

October 26, 2016
Ansari

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No