

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-7144-2016

Date of Decision:- 07.12.2016

Rajinder Singh

....Petitioner

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Ms. Arshpreet Kaur, Advocate, for the petitioner.

Ms. Manpreet Dhaliwal, AAG, Punjab.

None for respondent No.2.

RITU BAHRI, J. (Oral)

Present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.78 dated 11.05.2015, under Sections 406 and 498-A IPC, registered at Police Station City Kharar, SAS Nagar, Mohali, on the basis of compromise/settlement dated 08.01.2016 (Annexure P-2).

Brief facts of the case are that the marriage of the parties was solemnized on 24.03.2012. Out of this wedlock, one male child, namely, Param, was born on 04.03.2014. Thereafter, due to incompatibility of temperament, both the parties could not live together as husband and wife. The relationship between them became strained and thereafter, the F.I.R was registered against the petitioners.

Learned counsel for the petitioners submits that the present matter was referred to Mediation and Conciliation Centre, vide order dated 05.10.2015 passed by this Court where with the assistance of mediator the parties have voluntarily arrived at an amicable settlement and now the parties are residing together in the matrimonial house. .

During the course of preliminary hearing, the trial Court, was directed to record the statements of all the concerned parties, with regard to the genuineness and validity or otherwise of the compromise/settlement dated 08.01.2016 (Annexure P-2), by way of order dated 19.09.2016, by this Court.

In compliance of order dated 19.09.2016 of this Court, the report of the Sub-Divisional Judicial Magistrate, Kharar dated 01.12.2016 has been received. As per the report, the statement of complainant has been recorded and she has no objection, if the present FIR registered against the petitioner is quashed. Statement of the complainant has been recorded to the same effect.

Consequently, in view of the above-said report and in view of the judgments of the Hon'ble Supreme Court in **Dr. Arvind Barsaul etc. Vs. State of Madhya Pradesh and another, 2008(2) RCR (Criminal) 910; Madan Mohan Abbot vs. State of Punjab, 2008(2) RCR (Criminal) 429** and the law laid down by the Full Bench of this Court in the case of **Kulwinder Singh and Ors. vs. State of Punjab and another, 2007(3) RCR (Crl.) 1052**, no useful purpose would be served in prolonging the litigation.

Accordingly, FIR No.78 dated 11.05.2015, under Sections 406 and 498-A IPC, registered at Police Station City Kharar, SAS Nagar, Mohali and all the subsequent proceedings arising therefrom are hereby quashed, on the basis of compromise/settlement dated 08.01.2016 (Annexure P-2).

The present petition stands disposed of.

December 07, 2016
naresh.k

(**RITU BAHRI**)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No