

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

**Criminal Misc. No. M-7228 of 2016
Date of decision: 11.05.2016**

Harpreet Singh and another

..Petitioners

Versus

State of Punjab and another

..Respondents

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

- 1. Whether reporters of local newspapers 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. Yogesh Goel, Advocate
for the petitioners.

Mr. Rupam Aggarwal, DAG, Punjab
for respondent No.1 – State.

Complainant in person.

Daya Chaudhary, J.

This petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.62 dated 08.06.2015 registered under Sections 406 and 498-A of Indian Penal Code (for short 'IPC') at Police Station Women, District Ludhiana City on the basis of compromise arrived at between the parties.

Petitioner No.1 is husband and petitioner No.2 is father-in-law of complainant-respondent No.2. The marriage of petitioner No.1 was solemnized with respondent No.2 on 26.05.2012. Both the parties could not adjust with each other and a complaint was made by the

complainant against the petitioners alleging certain allegations of demand of dowry and harassment. On the basis of said complaint, the aforesaid FIR was registered against the petitioners. Subsequently, during pendency of the proceedings, the dispute between the parties has been settled by way of compromise and both the parties have decided to get their marriage dissolved by way of mutual consent. The petition filed under Section 13-B of the Hindu Marriage Act, 1955 (for short ' the Act') is pending for 25.07.2016 for recording of second motion statement.

Learned counsel for the petitioners submits that both the parties have settled their dispute by way of compromise and the petition filed under Section 13-B of the Act is pending. Learned counsel also submits that since the dispute between the parties has been settled, the FIR in dispute along with all consequential proceedings may be quashed.

Complainant-respondent No.2 is present in person in the Court and submits that she has no objection in quashing of the FIR and other proceedings.

Heard arguments of learned counsel for the petitioners as well as complainant-respondent No.2 and have also perused the contents of the FIR; the compromise arrived at between the parties as well as the statements of the parties recorded before the trial Court in compliance of directions issued by this Court on 29.02.2016.

In response to the directions issued by this Court on

29.02.2016, the parties appeared before Judicial Magistrate 1st Class, Ludhiana and their statements with regard to compromise were recorded. A report along with the statements of the parties has been sent, which is on record wherein the factum of compromise has been affirmed. It has also been mentioned in the report that the compromise arrived at between the parties is without any pressure, or coercion. Complainant-respondent No.2 has specifically stated in her statement that she has no objection in quashing of the FIR and other proceedings.

The dispute between the parties is matrimonial in nature and the same has been settled by way of compromise. The petition filed under Section 13-B of the Act is pending. Both the parties are happy with the compromise. Complainant-respondent No.2 has no objection in quashing of the FIR and other proceedings. Moreover, no purpose would be served in case proceedings are allowed to be continued in future as it would result into wastage of precious time of the Court. The purpose of the compromise is to maintain peace and harmony in the relations.

Accordingly, the present petition is allowed and the impugned criminal proceedings arising out of FIR No.62 dated 08.06.2015 registered under Sections 406 and 498-A IPC at Police Station Women, District Ludhiana City as well as all subsequent proceedings arising therefrom qua petitioners, namely, Harpreet Singh and Paramjit Singh, are hereby quashed.

However, it is made clear that in case, any of the terms and conditions of the compromise have not been complied with, complainant-respondent No.2 is at liberty to move application for recalling of the order.

11.05.2016.
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(DAYA CHAUDHARY)
JUDGE