

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

**Criminal Misc. No. M-7556 of 2016
Date of decision: 11.05.2016**

Santokh Singh and others

..Petitioners

Versus

State of Haryana 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. Vikas Gupta, Advocate
for the petitioners.

Mr. Sanjay K. Saini, AAG, Haryana
for respondent No.1 – State.

None for respondent No.2.

Daya Chaudhary, J.

Petitioners, namely, Santokh Singh, Darbara Singh, Baljinder Singh @ Billu and Dalbir Kaur @ Balbir Kaur are accused in FIR No.1 dated 02.01.2012 registered under Sections 323, 406, 498-A and 506 of Indian Penal Code (for short 'IPC') at Police Station Shahabad, District Kurukshetra.

Petitioner No.1-Santokh Singh was married with respondent No.2-Sarbjit Kaur on 08.12.2002. Some differences arose between the parties and respondent No.2 made a complaint against her husband and other family members, who are petitioners in the

present petition. Subsequently, good sense prevailed and dispute between the parties was settled. The parties decided to remain together as grievance against each other was resolved amicably. A written compromise was executed between the parties. Certain terms and conditions were mutually settled. The said compromise (Annexure P-2) was signed by both the parties. As agreed in the compromise, the present petition has been filed for quashing of the aforesaid FIR on the basis of compromise.

While issuing notice of motion on 03.03.2016, parties were directed to appear before the trial Court for recording of their statements with regard to compromise.

In response to said directions issued by this Court, the parties appeared before Judicial Magistrate 1st Class, Kurukshetra 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 genuine and without any pressure from either side. Complainant-respondent No.2 has specifically stated in her statement that she is happily living with her husband and has no objection in quashing of the FIR and other proceedings.

Learned counsel for the petitioners submits that both the parties are happy after compromise and they have no grouse against each other.

Learned State counsel has filed reply on behalf of respondent No.1-State in the Court and the same is taken on record.

The dispute between the parties is matrimonial in nature and the same has been settled by way of compromise. Both the parties are living together. 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 continued in future as the complainant is not going to support the case of the prosecution and it would amount to wastage of precious time of the Court.

Accordingly, the present petition is allowed and the impugned criminal proceedings arising out of FIR No. 1 dated 02.01.2012 registered under Sections 323, 406, 498-A and 506 IPC at Police Station Shahabad, District Kurukshetra as well as all subsequent proceedings arising therefrom qua petitioners, namely, Santokh Singh, Darbara Singh, Baljinder Singh @ Billu and Dalbir Kaur @ Balbir Kaur, are hereby quashed.

11.05.2016
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(DAYA CHAUDHARY)
JUDGE