

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

Crl. Misc. No.M-8390 of 2016

Date of Decision: 06.05.2016

Narinderpal Singh

....Petitioner

Versus

State of Punjab and another

....Respondents

BEFORE :- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

- 1. Whether reporters of local newspapers may be allowed to see the 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. S.S. Sarwara, Advocate
for the petitioner.

Mr. Rupam Aggarwal, D.A.G., Punjab
for the respondent-State.

Mr. S.P.S. Chakkal, Advocate
for respondent No.2.

DAYA CHAUDHARY, J. (ORAL)

This petition has been filed under Section 482 Cr.P.C for quashing of FIR No.16 dated 03.02.2013 registered under Sections 406 and 498-A IPC at Police Station Mukerian, District Hoshiarpur along with all consequential proceedings arising therefrom on the basis of compromise arrived at between the parties.

Learned counsel for the petitioner submits that earlier the petitioner was found innocent but subsequently, he was summoned under Section 319 Cr.P.C vide Order dated 24.04.2014 by Sub Divisional Judicial

Magistrate, Mukerian. The petitioner did not appear before the Court and subsequently, he was declared as a proclaimed offender as he was away to abroad. Learned counsel further submits that all co-accused of the petitioner have been acquitted of the charge by the trial Court vide judgment dated 22.12.2015. Subsequently, in compliance of Order passed by this Court on 10.03.2016, the petitioner surrendered before the trial Court and has been released on interim bail. Thereafter, in pursuance to order passed by this Court on 06.04.2016, the parties appeared before the trial Court and their statements were recorded.

Learned counsel appearing on behalf of respondent No.2 has not disputed the factum of compromise and also the statements recorded by Judicial Magistrate Ist Class, Mukerian.

Learned counsel for the respondent-State has also not disputed the fact that the petitioner has surrendered before the trial Court and the co-accused of the petitioner have been acquitted of the charge by the trial Court.

Heard the arguments of learned counsel for the parties and have also perused the allegations levelled in the FIR as well as other documents available on the file including the statements of the parties recorded in compliance of directions issued by this Court on 06.04.2016.

The factum of compromise has been affirmed from the statements of accused as well as complainant-respondent No.2. Complainant-respondent No.2 has specifically stated in her statement that she has no objection in quashing of FIR and other proceedings arising therefrom.

It is a matrimonial dispute between the parties and the present petitioner is brother-in-law (*dewar*) of the complainant.

Since, the dispute between the parties has been settled by

way of compromise and co-accused of the petitioner have already been acquitted of the charge by the trial Court; no purpose would be served in case the proceedings are allowed to be continued in future as the complainant is not going to support the case of the prosecution, the present petition is allowed and FIR No.16 dated 03.02.2013 registered under Sections 406 and 498-A IPC at Police Station Mukerian, District Hoshiarpur along with all consequential proceedings arising therefrom, qua petitioner-Narinderpal Singh are hereby quashed.

06.05.2016
gurpreet

(DAYA CHAUDHARY)
JUDGE