

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No. M-9410 of 2016

DATE OF DECISION: 24.05.2016

Balwinder Singh and others

.....Petitioners

Versus

State of Punjab and another

.....Respondents

BEFORE:- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

- 1. Whether reporters of local newspaper 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. L.S. Mann, Advocate
for the petitioners.

Mr. Rupam Aggarwal, DAG, Punjab.

Ms. Chhavi, Advocate
for respondent No.2.

DAYA CHAUDHARY, J.

The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No. 78 dated 23.11.2012 registered under Section 498-A IPC at Police Station Banga, District SBS Nagar and complaint case No. 69/1/13 dated 1.4.2013 under Sections 312,313,406,498-A,506,148,149 IPC, District SBS Nagar and all subsequent proceedings arising therefrom including summoning order dated 21.4.2014 , on the basis of compromise arrived at between the parties.

Learned counsel for the petitioners contends that aforesaid

FIR was registered by complainant-respondent No.2 by levelling certain

allegations with regard to demand of dowry and harassment against the petitioners. After lodging of the aforesaid FIR, a complaint was also made against all the petitioners, wherein, they have been summoned under Sections 498-A, 406 and 506 IPC. During pendency of the proceedings, with the intervention of the respectables of the society, the matter was compromised between the petitioners and respondent No.2 as it was not possible for the parties to live together and accordingly they decided to part their ways. It was settled in the compromise that the petitioners will pay an amount of ₹ 6,00,000/- to respondent No.2 and she will withdraw all the cases filed against the petitioners.

Learned counsel for respondent No.2 has not disputed the submissions made by learned counsel for the petitioners.

Heard the arguments advanced by learned counsel for the parties and have also perused the allegations levelled in the FIR as well as complaint and other documents available on the file including the statements of the parties recorded in compliance of direction issued by this Court on 17.3.2016.

Admittedly, the matter has been compromised between the parties. Complainant-respondent No.2-Sonia has specifically stated in her statement recorded before JMJC, SBS Nagar that she has no objection in quashing of the FIR as well as complaint and the compromise is as per her free will and there is no pressure upon her from either side.

Since the dispute between the parties is matrimonial in nature and the same has been settled by way of compromise; complainant has no objection in quashing of the FIR and other proceedings, no purpose would be served in case proceedings are continued in future as it would amount to wastage of precious time of the Court. Moreover, it would not be in the interest of the parties as the complainant is not going to support the case of

the prosecution. The purpose of the compromise is to maintain peace and harmony in the relations.

Accordingly, by exercising the powers conferred under Section 482 Cr.P.C. and by considering interest of the parties, the present petition is allowed and the impugned criminal proceedings arising out of FIR No. 78 dated 23.11.2012 registered under Section 498-A IPC at Police Station Banga, District SBS Nagar and complaint case No. 69/1/13 dated 1.4.2013 under Sections 312,313,406,498-A,506,148,149 IPC, District SBS Nagar and all subsequent proceedings arising therefrom including summoning order dated 21.4.2014 qua petitioners, namely, Balwinder Singh, Gurmit Kaur, Davinder Lal, Naresh Kumari, Dharam Pal, Sushma Kumari and Bhupinder Singh, are hereby quashed.

May 24, 2016
pooja

(DAYA CHAUDHARY)
JUDGE