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HIGH COURT OF CHHATTISGARH, BILASPUR

CR.M.P. No. 396 of 2016

Arun Kumar Verma, S/o. Shri P.C. Verma, Aged About 31 Years, R/o. 549/155-B, Bada Barha, Police Station -Alambagh, District Lucknow (U.P.). .

---- Petitioners

Versus

1. State Of Chhattisgarh, Through: Police Station -Jamul, District-Durg Chhattisgarh.
2. Smt. Shalini Verma, W/o. Arun Kumar Verma, Aged About 25 Years, D/o Kailash Soni, R/o L.I.G. 64-65, C.G. Housing Board Colony, Industrial Area, Bhilai, District Durg Chhattisgarh.

-----Respondents

For Petitioner	: Mr. T.K. Jha, Advocate
For Respondent/State	: Mr. Vivek Singhal, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

01/08/2017

Heard.

1. This petition has been filed under Section 482 of Cr.P.C. with a prayer to exercise the inherent jurisdiction for quashing the FIR registered against the petitioner in Crime No.252/2013, for the offence under Section 498-A, 34 of Indian Penal Code and Section 4 of the Dowry Prohibition Act, registered at P.S. - Jamul, District – Durg.

2. It is submitted by the counsel for petitioner that petitioner and respondent No.2 are husband and wife, due to some family dispute between them, respondent No.2 lodged one FIR against the petitioner on the basis of which, a crime number No. 252/2013 has been registered against the petitioner and the case is under investigation.
3. During the course of investigation, petitioner and respondent No.2 have compromised and resolved the dispute amicably. On the basis of compromise petitioner and respondent No.2 have obtained a decree of divorce based on mutual consent from the Family Court, Lucknow. Further respondent No.2 has agreed to withdraw the criminal proceedings initiated by her against petitioner. As the matter is still under investigation and charge sheet is yet to be filed, hence the prayer is made that FIR against the petitioner may be quashed at this stage.
4. Petitioner and respondent No.2 have given appearance before this Court and their statements have also been recorded. Smt. Shalini Verma, respondent No.2 has stated before the Registry Officer of this Court that she has consented for compromise without any fear, favour and influence and she is willing to withdraw the criminal proceedings against the petitioner.
5. Considering the amicable resolution of dispute between the petitioner and respondent No.2 and that they have chosen their life by way of separating themselves from the marital relationship, it would be proper to absolve the petitioner from all the legal proceedings, which started between him and respondent No.2 on

account of their matrimonial dispute which no longer exists. Hence keeping in view the directions laid down in case of ***Gian Singh v. State of Punjab & Another*** reported in ***(2012) 10 SCC 303*** this petition deserves to be allowed. Hence, this petition is allowed. FIR registered against the petitioner under Crime No.252/2013 at P.S. - Jamul, District – Durg for the offence under Section 498-A, 34 of Indian Penal Code and Section 4 of the Dowry Prohibition Act is hereby quashed.

6. Accordingly, the petition stands disposed off at motion stage.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Balram