

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-11479-2017

Date of Decision:- 18.05.2017

Jugal Anand

....Petitioner

Versus

State of Haryana and another

....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Jagdeep S. Virk, Advocate
for the petitioner.

Mr. D.R. Singla, DAG, Haryana.

None for respondent No.2.

RITU BAHRI, J. (Oral)

Present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.23 dated 08.01.2015, under Sections 323, 406 and 498-A IPC, registered at Police Station Thanesar City, District Kurukshetra, on the basis of joint statement (Annexure P-3) arrived in a petition under Section 13-B of the Hindu Marriage Act.

Brief facts of the case are that marriage between the petitioner and respondent No.2 was solemnized on 16.09.2013, according to Hindu Rites and Ceremonies. The parents of the complainant had given dowry according to their capacity. Due to incompatibility of temperament, both the parties could not live together as husband and wife. The relationship between them became strained and thereafter, the F.I.R was registered against the petitioner.

Learned counsel for the petitioner submits that keeping in view the peace and harmony, the matter has now been amicably settled between the parties, on the basis of joint statement (Annexure P-3).

During the course of preliminary hearing, the trial Court, was directed to record the statements of all the concerned parties, with regard to the genuineness and validity or otherwise of the joint statement/compromise (Annexure P-2), by way of order dated 05.04.2017, by this Court.

In compliance of order dated 05.04.2017 of this Court, the report of the Civil Judge (Jr. Divn.)-cum Judicial Magistrate 1st Class, Kurukshetra, dated 21.04.2017 has been received. As per the report, the statements of all the concerned parties have been recorded and the complainant has no objection, if the present FIR registered against the petitioner is quashed. Statements of the petitioner and complainant have been recorded to the same effect.

Consequently, in view of the above-said report and in view of the judgments of the Hon'ble Supreme Court in **Dr. Arvind Barsaul etc. Vs. State of Madhya Pradesh and another**, 2008(2) RCR (Criminal) 910; **Madan Mohan Abbot Vs. State of Punjab**, 2008(2) RCR (Criminal) 429 and the law laid down by the Full Bench of this Court in the case of **Kulwinder Singh and Ors. vs. State of Punjab and another**, 2007(3) RCR (Crl.) 1052, no useful purpose would be served in prolonging the litigation.

Accordingly, FIR No.23 dated 08.01.2015, under Sections 323, 406 and 498-A IPC, registered at Police Station Thanesar City, District Kurukshetra and all the subsequent proceedings arising therefrom qua petitioner are hereby quashed, on the basis of joint statement (Annexure P-3).

The present petition stands disposed of.

May 18, 2017

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(RITU BAHRI)

JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No