

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

Crl. Misc. No. M-13362-2017

Date of decision : 22.05.2017

Bharat

.....Petitioner

versus

State of Haryana and anr.

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Namit Khuranna, Advocate
for the petitioner

Mr. D.R. Singla, DAG, Haryana

RITU BAHRI, J. (Oral)

Reply filed by learned State counsel in the Court today, is taken on record.

Quashing of FIR No. 588 dated 23.11.2011 under Section 406/498-A/506 IPC, registered at Police Station City Yamuna Nagar, District Yamuna Nagar and judgment dated 22/26.08.2016, is being sought on the basis of compromise/settlement dated 11.04.2017 (Annexure P-3)

Respondent No. 2 got married to petitioner on 13.04.2008. Due to temperamental differences, both the parties could not live together as husband and wife. Out of this wedlock, one daughter was born, who is in the custody of respondent No. 2. The relationship between them became strained and F.I.R was registered against the petitioner on account of harassment and humiliation caused by the petitioner on the pretext of bringing less dowry by respondent No. 2.

After this, the petitioners were convicted by the learned trial

Court under Section 406/498-A IPC vide judgment of conviction dated 22.08.2016 and order of sentence dated 26.08.2016, petitioner preferred an appeal, which was pending the learned Lower Appellate Court.

During the pendency of the appeal, the matter has now been duly compromised, vide compromise/settlement dated 11.04.2017 (Annexure P-3).

In compliance of order dated 20.04.2017, report dated 11.05.2017 of Addl. District and Sessions Judge, Yamuna Nagar at Jagadhari has been received in this regard. As per report, statement of the complainant and petitioner have been recorded and they stated that the matter has been duly compromised between them. The compromise has been entered voluntarily. The complainant stated that she has no objection if the F.I.R be quashed against the petitioner.

Consequently, in view of the status report dated 11.05.2017 and in view of the judgment of the Hon'ble Supreme Court in cases of ***Dr. Arvind Barsaul etc. versus State of Madhya Pradesh and another 2008(2) RCR (Criminal) 910***, no useful purpose would be served in prolonging the litigation.

Reference at this stage can be made to judgments of this Court in cases of ***Pawan Kumar v. State of Haryana and another, 2016(2) RCR Crl 176 and Sube Singh and another v. State of Haryana and another, 2013(4) RCR Crl. 102*** wherein it has been held that High Court has the vested unparallel power to quash criminal proceedings at any stage to secure ends of justice.

Accordingly, FIR No. 588 dated 23.11.2011 under Section 406/498-A/506 IPC, registered at Police Station City Yamuna Nagar,

District Yamuna Nagar and judgment of conviction dated 22.08.2016 and order of sentence dated 26.08.2016, is quashed along with all consequential proceedings arising therefrom qua petitioner. Petitioner is acquitted of the charges framed against him.

The petition stands disposed of.

22.05.2017
G Arora

(RITU BAHRI)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether reportable</i>	<i>No</i>