

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

**CRM No. M-13939 of 2017
Date of decision: 30.05.2017**

Sunil Vaid

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Amardeep Singh Gill, Advocate,
for the petitioner.

Mr. A.P.S. Gill, AAG, Punjab.

Mr. Bhaskar Sharma, Advocate,
for respondent No.2.

Ritu Bahri, J.

Quashing of FIR No. 108 dated 20.12.2015, under Sections 323, 294, 452 IPC (Sections 406, 498-A and 506 IPC added later on), registered at Police Station, Division No.6, Jalandhar (Annexure P-1) is sought on the basis of compromise effected between the parties.

The F.I.R was registered on the basis of statement made by Jyoti Vaid-complainant (respondent No.2) to the effect that her marriage was solemnized with Sunil Vaid-petitioner on 27.01.2005. Out of this wedlock, three children were born. On 19.12.2015, she had gone to her parental house along with the children in order to meet her parents. However, her husband (petitioner) also reached there in the evening at about 6:35 P.M. and started abusing and grappling with Kavita Pashi, mother of complainant. When the complainant came forward, he gave beatings to her

as well. After hearing noise, father of the complainant came there. However, on seeing him, accused-petitioner forcibly took away her son namely Krish on a scooter. In this background, the FIR was registered.

After registration of the FIR, the petitioner approached this Court by filing CRM-M-8870-2016 for grant of anticipatory bail. During the pendency of said petition, the matter was referred to the Mediation and Conciliation Centre of this Court, where all the disputes have been amicably resolved between the parties vide compromise/agreement dated 20.03.2017 (Annexure P-2).

In compliance with the orders dated 27.04.2017 passed by this Court, parties have got recorded their statements before the trial Court/Illaq Magistrate. Report dated 19.05.2017 from the Judicial Magistrate, Ist Class, Jalandhar, has been received in this regard. As per report, Jyoti Vaid-respondent No.2 (complainant) made her statement on 16.05.2017 to the effect that before the Mediation and Conciliation Centre of this Court, she has compromised the matter with accused-petitioner out of her own free will and without any coercion or pressure. She has no objection if, the aforesaid FIR is quashed. Separate statement of Sunil Vaid-petitioner was also recorded on their behalf, to the same effect. In view of separate statements given by the parties, the court is satisfied that the compromise is valid and genuine one.

As per compromise dated 20.03.2017 (Annexure P-2), a draft of Rs.1,00,000/- has been handed over by the petitioner to learned counsel for respondent No.2-complainant in Court today.

Consequently, in view of the status report and the judgment of the Hon'ble Supreme Court in the case of **Madan Mohan Abbot vs. State**

of Punjab 2008(2) RCR (Criminal) 429, 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 (CrI.) 1052, this Court is of the view that no useful purpose would be served in prolonging the litigation.

Accordingly, FIR No. 108 dated 20.12.2015, under Sections 323, 294, 452 IPC (Sections 406, 498-A and 506 IPC added later on), registered at Police Station, Division No.6, Jalandhar, is quashed with all consequential proceedings arising therefrom qua the petitioner.

The petition stands disposed of accordingly.

30.05.2017
ajp

(RITU BAHRI)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable : Yes/No