

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

**Crl. Misc. No. M-1483 of 2017
Date of decision : 21.02.2017**

Ram Kumar GargPetitioner

versus

State of Punjab and anr. ...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Surinder Garg, Advocate
for the petitioner

Mr. Jaspreet Sekhon, AAG, Punjab

Mr. Ashish Gupta, Advocate
for respondent No. 2

RITU BAHRI, J. (Oral)

Quashing of FIR No. 36 dated 31.10.2012 under Section 498-A IPC, registered at Police Station Women Cell, District Bathinda (Mahela Thana) is being sought on the basis of settlement/compromise deed dated 13.01.2017 (P-2)

Respondent No. 2 got married to petitioner on 27.11.2010. Due to temperamental differences, both the parties could not live together as husband and wife. The relationship between them became strained and F.I.R was registered against the petitioner on account of bringing less dowry and harassment caused by the petitioner.

However, the matter has now been duly compromised, vide compromise deed dated 13.01.2017 (P-2)

Learned counsel for the parties stated that the parties have got recorded their statement, in compliance of order dated 19.01.2017 but no

report has been received.

Complainant is present in the Court today and as per settlement deed, she has received Rs.2.5 lacs out of Rs. 5 lacs towards full and final settlement, which has been given by learned counsel for the petitioner in the Court today and the remaining Rs.2.5 lacs will be given to her at the time of filing of petition under Section 13-B of the Hindu Marriage Act. Further petitioner has agreed to transfer 3 BHK flat in the name of the complainant, which was earlier in the name of both the parties. Petitioner will further clear all the dues to the Axis Bank in Gurgaon Branch towards the loan account for the loan taken for the payment of installments of the above said flat. NOC of the flat will be give to the complainant when the petition under Section 13-B of the Hindu Marriage Act will be filed. All the expenses required to be paid towards transfer of share in the above said flat will be borne by the petitioner.

Consequently, in view of the settlement deed dated 13.01.2017 and in view of the judgment of the Hon'ble Supreme Court in the case 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.

Accordingly, FIR No. 36 dated 31.10.2012 under Section 498-A IPC, registered at Police Station Women Cell, District Bathinda (Mahela Thana), is quashed along with all consequential proceedings arising therefrom qua petitioner.

The petition stands disposed of.

21.02.2017

G. Arora

GAURAV ARORA
2017.03.03 14:42
I attest to the accuracy and
integrity of this document
Chandigarh

(RITU BAHRI)
JUDGE

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