

CRM-M-14980-2017

Date of Decision: May 25, 2017

Gurmail Singh and others

.....Petitioner(s)

Versus

State of Punjab and another

....Respondent(s)

CORAM:- HON'BLE MS. JUSTICE RITU BAHRIPresent: Ms. Manju Sharma, Advocate
for the petitioner(s).

Ms. Manpreet Dhaliwal, A.A.G., Punjab.

RITU BAHRI, J. (ORAL)

Quashing of FIR No.17 dated 17.07.2015, under Sections 406 and 498-A of IPC registered at Police Station NRI, District Ludhiana is sought on the basis of compromise (Annexure P-2) effected between the parties.

The F.I.R was registered on the basis of complaint made by Janpreet Kaur-respondent No.2 (complainant) to the effect that her marriage was solemnized with Amandeep Singh Gill-petitioner No.3 on 10.02.2013. Soon after the marriage, husband i.e. petitioner No.3 left for Canada, since then he is residing at Canada and due to non-cordial relation between them, several litigations have been initiated against each other. In this background, the FIR was registered.

After registration of the FIR, with the intervention of respectable persons, the matter has been amicably resolved between the parties vide compromise dated 09.03.2017 (Annexure P-2).

In compliance with the order dated 02.05.2017 passed by this

Magistrate. Report from the Additional Chief Judicial Magistrate, Ludhiana, has been received in this regard. As per report, Janpreet Kaur-respondent No.2 (complainant) made her statement on 02.05.2017 to the effect that she has compromised the matter with accused-petitioner out of her own free will and without any pressure or coercion. As per compromise, petitioner No.3 and complainant/respondent No.2 have filed a petition under Section 13-B of the Hindu Marriage Act for dissolution of marriage with mutual consent, which is pending before the Additional District Judge, Ludhiana. She has no objection if, the above said FIR is quashed. Statement of Amandeep Singh Gill-petitioner No.3 was also recorded 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.

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 (Crl.) 1052”, this Court is of the view that no useful purpose would be served in prolonging the litigation.

Accordingly, FIR No.17 dated 17.07.2015, under Sections 406 and 498-A of IPC registered at Police Station NRI, District Ludhiana, is quashed with all consequential proceedings arising therefrom qua the petitioners.

The petition stands disposed of accordingly.

May 25, 2017
ps-I

(RITU BAHRI)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No