

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

**Crl. Misc. No. M-17022 of 2017
Date of decision : 02.06.2017**

Avtar Singh

.....Petitioner

versus

State of Punjab and anr.

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. K.S. Dadwal, Advocate
for the petitioner

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

Mr. Sanjeev Pandit, Advocate for respondent No. 2

RITU BAHRI, J. (Oral)

Quashing of FIR No. 23 dated 08.03.2011 under Sections 498-A/323/506 IPC, registered at Police Station Mahilpur, District Hoshiarpur and order dated 04.07.2016 (Annexure P-3) declaring the petitioner proclaimed offender, is being sought on the basis of compromise deed dated 03.02.2017 (Annexure P-5)

Respondent No. 2 got married to petitioner on 05.01.2007. One daughter was born out of this wedlock on 29.04.2008 at Italy, which expired on 22.10.2009 in India. 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 harassment and humiliation caused by the petitioners on the pretext of bringing less dowry by respondent No. 2.

However, the matter has now been duly compromised, on the basis of compromise deed dated 03.02.2017 (Annexure P-5).

In compliance of order dated 12.05.2017, report dated 30.05.2017 of Judicial Magistrate 1st Class, Garhshankar has been received in this regard. As per report, separate statement of Amrik Singh (attorney of Avtar Singh) and Balwinder Kaur (attorney of Rakhi Kaur) had been recorded and they stated that the matter has been duly compromised between petitioner and respondent No. 2 and they have given special power of attorney to give this statement. The compromise has been entered voluntarily. The complainant has no objection if the F.I.R be quashed against the petitioner.

Consequently, in view of the status report dated 30.05.2017 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, 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 08.03.2011 under Sections 498-A/323/506 IPC, registered at Police Station Mahilpur, District Hoshiarpur and order dated 04.07.2016 (Annexure P-3) are quashed along with all consequential proceedings arising therefrom qua petitioner.

The petition stands disposed of.

02.06.2017
G Arora

(RITU BAHRI)
JUDGE

Whether speaking/reasoned

Yes

Whether reportable

No