

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

**Crl. Misc. No. M-18715 of 2016
Date of decision : 22.05.2017**

Prabal Singh and anr.Petitioners

versus

State of Punjab and anr. ...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Amit Jain, Advocate
for the petitioners

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

Ms. Prachi Mishra, Advocate
for respondent No. 2

RITU BAHRI, J. (Oral)

Quashing of FIR No. 206 dated 10.06.2015 under Sections 406/498-A/377 IPC, registered at Police Station Sector 40, Gurgaon is being sought on the basis of joint statement dated 15.03.2016 (Annexure P-3) of the parties given in a petition under Section 13-B of the Hindu Marriage Act.

Respondent No. 2 got married to petitioner No. 1 on 11.07.2008. Out of the wedlock, one male child was born on 16.02.2012. 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 petitioners 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

on the basis of joint statement dated 15.03.2016 (Annexure P-3) of the parties given in a petition under Section 13-B of the Hindu Marriage Act. Petitioners have agreed to pay Rs.70 lacs to respondent No. 2 as full and final settlement of maintenance.

Learned counsel for the petitioners have referred to order dated 20.03.2017 whereby the parties have been granted mutual divorce. Today, complainant is present in the Court and petitioners have handed over a draft No. 081468 amounting to Rs.20 lacs in the name of Kavita Singh. The compromise has been entered voluntarily. The complainant has no objection if the F.I.R be quashed against the petitioners. Now the parties are bound by the joint statement dated 15.03.2016 (Annexure P-3) wherein it has been agreed that the custody of the minor child Dhruv @ Arunoday Vikram Singh shall remain with respondent No. 2 and Prabal Singh shall have the right to visit the minor son on 4th Sunday of every English calendar from 12 p.m to 2 p.m at Barista Metropolitan Mall, MG Road, Gurgaon. The expenses of the visitation shall be borne by Prabal Singh except the transportation charges of the child and respondent No. 2 shall be at liberty to change the visitation timing/days by giving prior notice of at least 4 days to each other and shall keep the convenience and requirement of their son in mind. The parents and sister of Prabal Singh shall also be entitled to meet the child during such visitations.

Consequently, in view of the joint statement dated 15.03.2016 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. 206 dated 10.06.2015 under Sections
406/498-A/377 IPC, registered at Police Station Sector 40, Gurgaon is
quashed along with all consequential proceedings arising therefrom qua
petitioners.

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>