

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

CRM-M-1966-2016 (O&M)

Date of decision-11.10.2017

Nabish Paul Singh and another

...Petitioners

Vs.

State of Punjab and another

...Respondents

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Parvinder Singh, Advocate for the petitioners.

Ms. Gulnoor Ghuman, AAG, Punjab.

Mr. Kuljit Singh Bal, Advocate for respondent No.2.

JITENDRA CHAUHAN, J. (Oral)

The instant petition under Section 482 Cr.P.C. has been filed for quashing/setting aside FIR No. 180 dated 10.12.2014 registered under Sections 406, 498-A, 323, 109 and 120-B of the Indian Penal Code at Police Station Phase No.8, District SAS Nagar and all subsequent proceedings arising therefrom.

The petitioners seek quashing of the FIR on the strength of the statement made by the wife-respondent No.2 before the National Lok Adalat. It is stated that respondent No.2-wife had agreed to withdraw all the cases instituted by her on payment of Rs.15,000/- per month towards maintenance. Besides this amount, petitioner No.1-husband also undertook to pay initial expenditure for the children for new session i.e. for purchasing new books for the year.

On 26.07.2016, respondent No.2-wife appeared in person and stated that petitioner No.1-husband did not honour the compromise. The fee

of the child was not deposited and resultantly his name has been struck off the rolls the school. At this stage, learned counsel for the petitioner has offered an amount of Rs.2,50,000/- towards full and final settlement i.e. permanent alimony and maintenance. The same is not acceptable to the learned counsel for respondent No.2-wife.

Heard.

As noticed at the outset, the basis for filing the instant petition for quashing of the FIR in question was the compromise/settlement reached between the parties before the Permanent Lok Adalat which has now collapsed.

Otherwise also considering the fact that the respondent No.2-wife is saddled with the responsibility of two minor children, the Court feels that the offer made by the petitioner lacks *bona fide*.

The petition stands dismissed.

October 11, 2017

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(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No