

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

**Crl. Misc. No. M-19751 of 2017 (O&M)
Date of decision: November 01 , 2017**

Tapish Rattan

.. Petitioner

Versus

State of Punjab and another

.. Respondents

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Robin Lohan, Advocate
for the petitioner.

Mr. V.G.Jauhar, Sr. D.A.G., Punjab.

SURINDER GUPTA, J.(Oral)

The petitioner has filed this petition under Section 482 Code of Criminal Procedure (for short, 'Cr.P.C.') seeking quashing of FIR No. 73 dated 05.04.2007 (Annexure P-1) along with all consequential proceedings arising therefrom, registered for offences punishable under Sections 406, 498-A of Indian Penal Code (for short 'IPC') at Police Station Division No. 7, Ludhiana, on the basis of the compromise (Annexure P-2).

Heard.

Learned counsel for the petitioner submits that the matrimonial dispute between the petitioner and respondent No. 2 has been amicably settled. Though this petition was filed only on behalf of husband, the matter has also been settled with father-in-law and mother-in-law. Respondent No. 2 has made a statement to this effect before the trial Court and he will file a separate petition qua father-in-law and mother-in-law.

Learned State counsel has also not disputed compromise

(Annexure P-2).

The present FIR was registered on the complaint of respondent No. 2. The matter has since been amicably settled and report to this effect has been received from Judicial Magistrate Ist Class, Ludhiana, who after recording the statement of the parties, has found that the parties have voluntarily arrived at compromise and there is no coercion or undue influence.

Keeping all the above facts in view, I am of the considered opinion that it is a fit case in which the impugned FIR should be quashed. Keeping the case pending will not serve the ends of justice. The quashing of the FIR will provide the parties to this petition an opportunity to live in an amicable, peaceful and harmonious atmosphere which is not only in the interest of the parties but also for their families and ultimately the society at large.

For the reasons as discussed above, the instant petition is allowed and the impugned FIR No. 73 dated 05.04.2007 registered for the offences punishable under Sections 406, 498-A IPC at Police Station Division No. 7, Ludhiana, (Annexure P-1) along with all consequential proceedings arising therefrom, qua petitioner, is quashed.

(SURINDER GUPTA)
JUDGE

November 01, 2017
Jyoti-II

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No