

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(1) CRM-M-23241-2016

Amandeep Singh and others ...Petitioners

Versus

State of Punjab and another ..Respondents

(2) CRM-M-25912-2016

Damanjot Kaur and another ...Petitioners

Versus

State of Punjab and another ..Respondents

Date of decision: - 10.01.2017

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Ms. Malika Sethi Sobti, Advocate, for petitioners in 1st case.

Mr. V.K. Sandhir, Advocate, for petitioners in 2nd case.

Mr. APS Gill, Assistant Advocate General, Punjab.

Mr. Maninder Singh Bajwa, Advocate
for respondent No.2.

RITU BAHRI, J. (Oral)

As identical questions of law and facts are involved, therefore, I
propose to decide above indicated petitions, arising out of the same
incident/FIR, by means of this common judgment, in order to avoid the

Present petitions have been filed under Section 482 Cr.P.C. for quashing of FIR No.214 dated 01.10.2009 under Sections 406, 494, 498-A and 120-B IPC, registered at Police Station B Division, Amritsar City, on the basis of compromise dated 29.03.2016 (Annexure P-2)

Brief facts of the case are that respondent No.2 got married to petitioner Amandeep Singh in April, 2006 as per Gurmaraada at Amritsar. Thereafter, due to incompatibility of temperament, both the parties could not live together as husband and wife. The relationship between them became strained and consequently, the F.I.R was registered against the petitioners.

Learned counsel for the petitioners submits that now with the intervention of the respectables, both the parties have compromised the matter amicably and respondent No.2 has no objection, if the present FIR registered against the petitioners is quashed

During the course of preliminary hearing, the trial Court, was directed to record the statements of all the concerned parties, with regard to the genuineness and validity or otherwise of the compromise dated 29.03.2016 (Annexure P-2), by means of orders dated 08.11.2016, by this Court.

In compliance of orders dated 08.11.2016 of this Court, the report of Judicial Magistrate 1st Class (Duty), Amritsar, dated 19.12.2016 has been received. As per the report, the statements of all the concerned parties have been recorded and the complainant has no objection, if the complaint registered against the petitioners is quashed. The compromise in question is valid one and the parties are under no pressure or coercion.

Consequently, in view of the above-said report and in view of the judgments of the Hon'ble Supreme Court in **Dr. Arvind Barsaul etc. Vs. 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.214 dated 01.10.2009 under Sections 406, 494, 498-A and 120-B IPC, registered at Police Station B Division, Amritsar City, along with all consequential proceedings arising therefrom are hereby quashed on the basis of compromise dated 29.03.2016 (Annexure P-2).

The present petition stands disposed of.

January 10, 2017
naresh.k

(**RITU BAHRI**)
JUDGE