

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-27118-2016

Date of Decision:- 31.03.2017

Shashi Kumar

....Petitioner

Versus

U.T. of Chandigarh and another

....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Shashi Kumar-petitioner present in person.

Mr. A.S. Virk, APP, U.T, Chandigarh.

RITU BAHRI, J. (Oral)

Present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.04 dated 03.01.2016, under Section 498-A IPC, registered at Police Station Women, Chandigarh, on the basis of compromise dated 29.07.2016 (Annexure P-2).

Brief facts of the case are that the petitioner and complainant were working in the same department i.e. ESIC at Ludhiana. They got married on 10.08.2014, according to the Hindu Rites and Ceremonies. Due to incompatibility of temperament, both the parties could not live together as husband and wife. The relationship between them became strained and thereafter, the F.I.R was registered against the petitioner.

Petitioner is present in person and submits that the matter has now been amicably settled between the parties with the intervention of respectable persons, vide compromise dated 29.07.2016 (Annexure P-2).

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 29.07.2016 (Annexure P-2), by way of order dated 13.12.2016, by this Court.

In compliance of order dated 13.12.2016 of this Court, the report of the Judicial Magistrate 1st Class, Chandigarh, dated 03.02.2017 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 present FIR registered against the petitioner is quashed. Statements of the petitioner and complainant have been recorded to the same effect.

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.04 dated 03.01.2016, under Section 498-A IPC, registered at Police Station Women, Chandigarh and all the subsequent proceedings arising therefrom are hereby quashed, on the basis of compromise dated 29.07.2016 (Annexure P-2).

The present petition stands disposed of.

March 31, 2017
naresh.k

(**RITU BAHRI**)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No