

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-2965-2017

Date of Decision:- 11.05.2017

Swinder Kaur

....Petitioner

Versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. H.S. Sullar, Advocate, for the petitioner.

Mr. APS Gill, AAG, Punjab.

Ms. Puja Chopra, Advocate
for respondent No.2.

RITU BAHRI, J. (Oral)

Petitioner-Swinder Kaur filed the present petition under Section 482 Cr.P.C. for quashing of FIR No.172 dated 16.08.2002, under Sections 498-A, 406 and 420 IPC, registered at Police Station Sahnewal, District Ludhiana.

Brief facts of the case are that marriage between accused Ranjot Singh was solemnized with daughter of complainant-respondent No.2, namely, Kiranpreet Kaur on 11.02.2001. Petitioner-Swinder Kaur has arranged for and sent sponsorship in favour of Kiranpreet Kaur in May/June, 2001. They lived together in England till November, 2001. They lived together for two weeks in India. The petitioners come back on

parents. In 2002, Kiranpreet Kaur went to U.K. for six weeks. Since both of them could not live together, they decided to seek mutual divorce in the Court of competent jurisdiction in U.K. The present FIR (Annexure P-1) was got registered by father of Kiranpreet Kaur against the petitioner and their relatives. Kiranpreet Kaur and accused-Ranjot Singh have already obtained the decree of divorce on 14.09.2004 by the Brentford County Court, U.K.

During the pendency of the present FIR, the petitioner and accused Ranjot Singh were declared as proclaimed offenders, vide order dated 14.01.2003 and subsequently the said order was set aside by this Court, by way of order dated 21.12.2015 passed in CRM-M-34522-2010 (Annexure P-5).

Learned counsel for the petitioner submits that with the assistance of Mr. Amarjit Singh Ahluwalia, Mediator, the matter has now been compromised between the parties, vide settlement/agreement dated 05.05.2017.

As per the above-said settlement, learned counsel for the petitioner has handed over a demand of draft of ₹7 lacs and ₹50,000/- in cash to the counsel for the complainant in Court today towards maintenance/permanent alimony. Petitioner has no objection if the complainant withdraws the litigation expenses of ₹25,000/-, deposited by him. Further, it has been agreed between the parties that in case accused-Ranjot Singh files a petition for the quashing of above-said FIR on the basis of present compromise/settlement dated 05.05.2017, the complainant will not oppose the same.

In view of the above-said settlement/agreement 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 any further. Accordingly, FIR No.172 dated 16.08.2002, under Sections 498-A, 406 and 420 IPC, registered at Police Station Sahnewal, District Ludhiana. and all the subsequent proceedings arising therefrom qua petitioner-Swinder Kaur are hereby quashed, on the basis of settlement/agreement 05.05.2017.

Litigation expenses of ₹25,000/- deposited by the petitioner with the Registry of this Court be released to complainant-respondent No.2 forthwith.

The present petition stands allowed.

May 11, 2017
naresh.k

(**RITU BAHRI**)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No