

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-33491-2016

Date of Decision:- 02.05.2017

Rajinder Kumar @ Raju and another

....Petitioner

Versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Salil Bali, Advocate, for the petitioners.

Mr. APS Gill, AAG, Punjab.

None for respondent No.2.

RITU BAHRI, J. (Oral)

Present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.39 dated 25.02.2013, under Sections 498-A, 406, 506 and 34 IPC, registered at Police Station Sadar Ferozepur, District Ferozepur, on the basis of compromise/settlement agreement dated 01.06.2016 (Annexure P-2).

Brief facts of the case are that marriage between petitioner No.1 and respondent No.2 was solemnized on 23.04.2000, according to Hindu Rites. Both the parties cohabited together till 2012 and thereafter 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 petitioners.

Learned counsel for the petitioners submits that keeping in view the peace and harmony, the matter has now been amicably settled between the parties with the intervention of respectable persons, vide compromise/settlement agreement dated 01.06.2016 (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/settlement agreement dated 01.06.2016 (Annexure P-2), by way of order dated 14.03.2017, by this Court.

In compliance of order dated 14.03.2017 of this Court, the report of the Judicial Magistrate 1st Class, Ferozepur dated 21.04.2017 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 petitioners is quashed. Statements of the petitioners 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.39 dated 25.02.2013, under Sections 498-A, 406, 506 and 34 IPC, registered at Police Station Sadar Ferozepur, District Ferozepur and all the subsequent proceedings arising therefrom qua petitioner are hereby quashed, on the basis of compromise/settlement agreement dated 01.06.2016 (Annexure P-2).

The present petition stands disposed of.

May 02, 2017
naresh.k

(**RITU BAHRI**)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No