

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-39553 of 2013 (O&M)

Date of Decision: 17.01.2017

Parvesh Kumar and others

.....Petitioners

Vs.

State of Punjab and another

.....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr.A.R.Takkar, Advocate, for the petitioner.

Ms.Manpreet Dhaliwal, AAG, Punjab.

Mr.Rahul Rampal, Advocate, for respondent No.2.

RITU BAHRI, J. (ORAL)

CRM No.213 of 2017

Application is allowed.

Compromise deed dated 07.01.2017 (Annexure P-23 colly) is
taken on record.

CRM-M-39553 of 2013

The instant petition has been filed under Section 482 of the Code of Criminal Procedure for quashing of FIR No.10 dated 19.10.2011, for the offence under Sections 406, 498-A IPC registered at Police Station Women Cell, NRI Cell, Ludhiana (Annexure P-1) along with all consequential proceedings arising therefrom including the final report filed under Section 173 Dated 17.04.2012 (Annexure P-2).

The FIR was registered on the basis of statement made by complainant-Nisha Rani that her marriage was solemnized with petitioner

No.1 on 25.11.2009. Petitioner and respondent No.2 had shifted to USA immediately after the marriage where a son called Dev Kumar was born on 23.07.2011. The couple came to India on 09.08.2011. FIR has been registered by the complainant on account of harassment faced by respondent No.2 by the petitioners i.e. family members of petitioners.

During the pendency of this petition, the matter has been amicably resolved between the parties. Vide order dated 07.12.2016, this Court was informed that as per settlement between the parties, it has been agreed that petitioner would pay Rs.16 Lacs towards full and final settlement of all claims to the respondent No.2. in different stages. The first payment of Rs.3,00,000/- has been paid by cheque on 09.02.2015 and second payment of Rs.8,00,000/- has been made by the petitioner on 02.03.2015 and remaining payment of Rs.5,00,000/- has been paid to the father of the complainant before this Court after getting the copy of General Power of Attorney in his favour from her daughter.

Pursuant to the order dated 22.12.2016, counsel for the petitioner has produced compromise dated 07.01.2017 (Annexure P-23 colly). Today, Balvir Singh Special Power of attorney of respondent No.2/complainant and Sh.Babu Ram, Special Power of Attorney Holder of the petitioners have appeared before this Court. Both the parties have stated that all the conditions of the settlement (Annexure P-23) have been carried out between the parties and payment mentioned in paragraph 4 of the compromise deed (Annexure P-23) i.e. Rs.3,00,000/- vide cheque No.154421 dated 09.02.2015, Rs.8,00,000/- vide cheque No.154422 dated 02.03.2015 and remaining Rs.5,00,000/- have been made to complainant.

Therefore, complainant has no objection, if the FIR is quashed.

Consequently, in view of the status report and the judgment of the Hon'ble Supreme Court in the case of **Madan Mohan Abbot vs. State of Punjab 2008(2) RCR (Criminal) 429**, the law laid down by the Full Bench of this Court in the case of **Kulwinder Singh and others Vs. State of Punjab and another 2007(3) RCR (Crl.) 1052**, this Court is of the view that no useful purpose would be served in prolonging the litigation.

Accordingly, FIR No.10 dated 19.10.2011, for the offence under Sections 406, 498-A IPC registered at Police Station Women Cell, NRI Cell, Ludhiana (Annexure P-1) is quashed along with all consequential proceedings arising therefrom qua the petitioners.

The petition stands disposed of accordingly.

(RITU BAHRI)
JUDGE

17.01.2017
anil

<i>Whether speaking/reasoned :</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>