

**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH**

Crl. Misc. M 37720 of 2016 (O&M)
Date of decision: 14.7.2017

Balwinder Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Kushagra Mahajan, Advocate
for the petitioner.

Mr. MS Nagra, AAG, Punjab.

Mr. M.K. Bhatnagar, Advocate,
for respondent No.2.

JAISHREE THAKUR, J. (Oral)

This petition has been filed under Section 482 of the Code of Criminal Procedure seeking for quashing of FIR No. 95 dated 11.12.2015 (Annexure P/1) registered under Sections 498-A and 406 IPC at Police Station Women, District Amritsar City, and all subsequent proceedings arising therefrom.

It is contended by the learned counsel for the petitioner that a settlement was arrived at between the parties before the Mediation and Conciliation Centre of this Court in Crl. Misc. M 2418 of 2016. In terms of the settlement arrived at between the parties on 8.7.2016, the husband—

Balwinder Singh was to pay a total sum of Rs. 6 lakhs to the complainant as

a full and final settlement towards all the disputes of maintenance and permanent alimony, past, present and future and that a decree of divorce under Section 13-B of the Hindu Marriage Act would also be obtained. It was further decided that the custody of the minor daughter Harseerat Kaur would remain with the husband for all times to come.

By order dated 9.12.2016, the parties were directed to get their statements recorded before the Illaqa Magistrate/trial court with a direction to go to the court to send a report regarding genuineness of the compromise arrived at between the parties. However, the parties have failed to appear before the trial court.

The matter is taken up today for hearing. Both the counsel appearing for the parties submit all the terms of the compromise that were entered into between the parties before Mediation and Conciliation Centre of this Court, have been fully complied with. Learned counsel for the complainant also submits that a total sum of Rs. 6 lakhs have been received as full and final settlement and even decree of divorce has been obtained in terms of the settlement.

In view of the statement made by both the counsels at bar, this Court has no hesitation in quashing the FIR.

Consequently, FIR No. 95 dated 11.12.2015 (Annexure P/1) registered under Sections 498-A and 406 IPC at Police Station Women, District Amritsar City, and all subsequent proceedings arising therefrom, are quashed.

The petition stands disposed of.

14.7.2017
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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No