

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-38459-2015 (O&M)

Date of Decision:- 15.02.2017

Dinesh Kumar Goyal and others

....Petitioners

Versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

**Present: Mr. I.P.S. Kohli, Advocate,
for the petitioners.**

Mr. J.S. Sekhon, AAG, Punjab.

**Mr. Siddharth Gupta, Advocate
for respondent No.2.**

RITU BAHRI, J. (Oral)

Present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.37 dated 25.09.2011, under Sections 498-A and 495 IPC, registered at Police Station Women Cell, District Bathinda, on the basis of compromise deed dated 29.10.2015 (Annexure P-2).

Brief facts of the case are that marriage between petitioner No.1 and respondent No.2 was solemnized on 19.08.2000 as per Hindu Rites and Ceremonies. Out of said wedlock, two children were born out. The parents of the complainant had given dowry according to their capacity. After the marriage, the behavior of accused changed and they have started giving beatings to the complainant. 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, vide compromise deed dated 29.10.2015 (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 deed dated 29.10.2015 (Annexure P-2), by way of order dated 18.11.2015, by this Court.

In compliance of order dated 18.11.2015 of this Court, the report of the Chief Judicial Magistrate, Bathinda, dated 21.12.2015 has been received. As per the report, the statement of complainant has been recorded and she has no objection, if the present FIR registered against the petitioners is quashed.

Moreover, pursuant to order dated 25.10.2016 of this Court, today learned counsel for the petitioners has handed over the copy of original LIC policy and ₹20,000/- in cash to the complainant, who is present in Court. Further, a sum of ₹50,000/- has also been transferred in the account of the complainant.

Learned counsel for the complainant submits that complainant will withdraw the application for setting aside the decree of divorce.

Consequently, in view of the above-said facts and in view of

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.37 dated 25.09.2011, under Sections 498-A and 495 IPC, registered at Police Station Women Cell, District Bathinda and all the subsequent proceedings arising therefrom are hereby quashed, on the basis of compromise deed dated 29.10.2015 (Annexure P-2).

The present petition stands disposed of.

February 15, 2017
naresh.k

(**RITU BAHRI**)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No