

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-41273-2016

Date of Decision:- 01.03.2017

Nitish Jain

....Petitioner

Versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

**Present: Mr. Navkesh Singh Goraya, Advocate
for the petitioner.**

Ms. Manpreet Dhaliwal, AAG, Punjab.

**Mr. Manish Kumar Verma, 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.33 dated 14.04.2010, under Sections 498-A and 406 IPC, registered at Police Station Division No.4, District Ludhiana, on the basis of compromise dated 02.11.2016 (Annexure P-4).

Brief facts of the case are that marriage between petitioner and respondent No.2 was solemnized as per Hindu Rites and Rituals. The parents of the complainant had given dowry according to their capacity. 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 petitioner.

Learned counsel for the petitioner 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 dated 02.11.2016 (Annexure P-4).

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 dated 02.11.2016 (Annexure P-4), by way of order dated 21.12.2016, by this Court.

In compliance of order dated 21.12.2016 of this Court, the report of the Judicial Magistrate 1st Class, Ludhiana, dated 08.02.2016 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 petitioner is quashed. Statements of the petitioner 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.33 dated 14.04.2010, under Sections 498-A and 406 IPC, registered at Police Station Division No.4, District Ludhiana and all the subsequent proceedings arising therefrom are hereby quashed, on the basis of compromise dated 02.11.2016 (Annexure P-4).

The present petition stands disposed of.

March 01, 2017

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(**RITU BAHRI**)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No