

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-43638-2016

Date of Decision:- 23.05.2017

Kulwinder Singh

....Petitioner

Versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Divyadeep Walia, Advocate, for the petitioner.

Ms. Anmol Grewal, DAG, Punjab.

**Mr. Digvijay Nagpal, 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.114 dated 11.11.2014, under Sections 406 and 498-A, registered at Police Station Boha, District Mansa, on the basis of compromise dated 07.11.2016 (Annexure P-2/T).

Brief facts of the case are that marriage between the petitioner and respondent No.2 was solemnized on 20.02.2006 and out of said wedlock three children were born out. 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 07.11.2016 (Annexure P-2/T).

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 07.11.2016 (Annexure P-2/T), by way of order dated 07.12.2016, by this Court.

In compliance of order dated 07.12.2016 of this Court, the report of the Judicial Magistrate 1st Class, Budhlada dated 20.01.2017 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 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.114 dated 11.11.2014, under Sections 406 and 498-A, registered at Police Station Boha, District Mansa and all the subsequent proceedings arising therefrom are hereby quashed, on the basis of compromise dated 07.11.2016 (Annexure P-2/T).

The present petition stands disposed of.

May 23, 2017
naresh.k

(**RITU BAHRI**)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No