

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-43750-2016

Date of Decision:- 10.01.2017

Gautam Arora and another

....petitionerss

Versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

**Present: Mr. Manbir S. Batth, Advocate,
for the petitioners.**

Mr. APS Gill, AAG, Punjab.

**Mr. Jasmeet Singh Ghuman, Advocate
for the complainant.**

RITU BAHRI, J. (Oral)

Present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.114 dated 02.07.2015, under Sections 406 and 498-A IPC, registered at Police Station City SBS Nagar, District SBS Nagar, on the basis of compromise dated 21.11.2016 (Annexure P-2).

Brief facts of the case are that the marriage of respondent No.2 was solemnized with petitioner No.1. Thereafter, 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 dated 21.11.2016 (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 dated 21.11.2016 (Annexure P-2), 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 Additional Chief Judicial Magistrate, SBS Nagar, dated 23.12.2016 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. Statements of the complainant and petitioners has 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 02.07.2015, under Sections 406 and 498-A IPC, registered at Police Station City SBS Nagar, District SBS Nagar and all the subsequent proceedings arising therefrom are hereby quashed, on the basis of compromise deed dated 21.11.2016 (Annexure P-2).

The present petition stands disposed of.

January 10, 2017
naresh.k

(**RITU BAHRI**)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No