

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**Crl. Misc. No. M-580 of 2017
Date of decision : 21.02.2017**

Avtar Singh

.....Petitioner

versus

State of Punjab and anr.

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. I.S. Parmar, Advocate
for the petitioner

Mr. Jaspreet Sekhon, AAG, Punjab

Mr. Navkesh Singh, Advocate
for respondent No. 2

RITU BAHRI, J. (Oral)

Quashing of FIR No. 136 dated 28.12.2010 under Sections 406/498-A IPC, registered at Police Station Daba, Ludhiana and judgment dated 12.02.2016, is being sought on the basis of compromise deed dated 23.12.2016 (P-6)

Respondent No. 2 got married to petitioner on 11.11.2002. Due to temperamental differences, both the parties could not live together as husband and wife. The relationship between them became strained and F.I.R was registered against the petitioner on account of harassment and humiliation caused by the petitioners on the pretext of bringing less dowry.

After this, the petitioner was convicted by the learned trial Court and against the judgment dated 12.02.2016, petitioner preferred an appeal, which was pending before 24.01.2017. The learned Lower Appellate

Court also suspended the sentence of the petitioner.

During the pendency of the appeal, the matter has now been duly compromised, vide compromise deed dated 23.12.2016 (P-6)

In compliance of order dated 12.01.2017, report dated 07.02.2017 of District and Sessions Judge, Ludhiana has been received in this regard. As per report, statement of parties have been recorded. The complainant stated that the matter stands compromised between the parties and she does not want to proceed further against the accused and has no objection, if the present F.I.R be quashed against the petitioner and the judgment of conviction be set aside. The complainant has further re-married with Karamjit Singh after taking divorce from the petitioner. The compromise has been entered voluntarily. To the same effect is the statement given by petitioner.

Consequently, in view of the status report dated 07.02.2017 and in view of the judgment of the Hon'ble Supreme Court in the case of ***Dr. Arvind Barsaul etc. versus State of Madhya Pradesh and another 2008(2) RCR (Criminal) 910***, no useful purpose would be served in prolonging the litigation.

Reference at this stage can be made to judgments of this Court in cases of ***Pawan Kumar v. State of Haryana and another, 2016(2) RCR Crl 176 and Sube Singh and another v. State of Haryana and another, 2013(4) RCR Crl. 102*** wherein it has been held that High Court has the vested unparallel power to quash criminal proceedings at any stage to secure ends of justice.

Accordingly, FIR No. 136 dated 28.12.2010 under Sections 406/498-A IPC, registered at Police Station Daba, Ludhiana and judgment dated 12.02.2016 are quashed along with all consequential proceedings

arising therefrom qua petitioner. Petitioner is acquitted of the charges framed against him.

The petition stands disposed of.

21.02.2017
G Arora

(RITU BAHRI)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether reportable</i>	<i>No</i>