

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-6089-2017

Date of Decision:- 28.03.2017

Tejinder Singh and others

....Petitioners

Versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. G.S. Sandhu, Advocate, for the petitioners.

Ms. Manpreet Dhaliwal, AAG, Punjab.

RITU BAHRI, J. (Oral)

The present petition has been filed under Section 482 Cr.P.C for quashing of FIR No.140 dated 22.06.2010, under Sections 498-A and 406 IPC, registered at Police Station City Ferozepur, District Ferozepur; judgment and order dated 25.08.2015, passed by the learned Court of Chief Judicial Magistrate, Ferozepur; and all the subsequent proceedings arising therefrom, on the basis of compromise dated 16.12.2016 (Annexure P-3).

Brief facts of the case are that the marriage of petitioner No.1 was solemnized with respondent No.2 on 19.01.2008. After the marriage, accused had started quarreling with the complainant, taunting her and raised a demand for a car and besides they started beating her. Due to incompatibility of temperament, both the parties could not live together as husband and wife. The relationship between them became strained and

hereafter, the F.I.R was registered against the petitioners.

Learned counsel for the petitioners submits that all the accused persons have been convicted, vide judgment of conviction and order of sentence dated 25.08.2015 (Annexure P-2), by the learned Chief Judicial Magistrate, Ferozepur. The appeal against the judgment of conviction is pending consideration before the learned Additional Sessions Judge, Ferozepur. Now, with the intervention of the respectables of society good sense has prevailed and both the parties have compromised the matter, vide compromise dated 16.12.2016 (Annexure P-3).

During the course of preliminary hearing, the appellate 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 16.12.2016 (Annexure P-3), by means of order dated 22.02.2017, by this Court.

In compliance of order dated 22.02.2017 of this Court, the report of Additional Sessions Judge, Ferozepur, dated 06.03.2017 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 appeal preferred by petitioners is accepted and FIR registered against them is quashed. Statements of the petitioners 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**; 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.)**

of Haryana, 2009(5) RCR (CrI.) 838, no useful purpose would be served in prolonging the litigation.

Accordingly, FIR No.140 dated 22.06.2010, under Sections 498-A and 406 IPC, registered at Police Station City Ferozepur, District Ferozepur is hereby quashed and further the judgment and order dated 25.08.2015 (Annexure P-2), passed by the learned Court of Chief Judicial Magistrate, Ferozepur is set aside and the petitioners/accused stands acquitted, in view of compromise dated 16.12.2016 (Annexure P-3).

The present petition stands disposed of.

March 28, 2017

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(**RITU BAHRI**)

JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No