

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

CRM-M No.43780 of 2016

Date of Decision: January 10, 2018

Rajinder Kumar and others

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Anil Kumar Sharma, Advocate
for the petitioners.

Ms. Seena Mand, DAG, Punjab
for respondent No.1-State.

Mr. Shivoy Dhir, Advocate
for respondent No.2.

LISA GILL J. (ORAL)

Prayer in this petition is for quashing of FIR No.230 dated 25.11.2015 under Sections 406, 498-A, 323, 148 IPC registered at Police Station City Kharar, Punjab on the basis of compromise dated 13.09.2016 (Annexure P-2).

It had been submitted on 22.09.2017 that the compromise between the parties no longer enures. Affidavit dated 17.07.2017 of respondent No.2 in this respect was filed.

Petitioner No.1 and respondent No.2 are present in Court today. A demand draft bearing No.088493 dated 10.10.2017 for a sum of Rs.2,00,000/- in favour of petitioner No.1-Rajinder Kumar has been handed over by respondent No.2 to petitioner No.1 who is present in Court, duly identified by his counsel. This is the amount which was given

to the complainant in pursuance to the alleged compromise. It is specifically mentioned in the affidavit dated 17.07.2017 that her first statement in the petition under Section 13(B) of Hindu Marriage Act was recorded under pressure exerted by an Uncle (Taya) of the complainant. She does not wish to part ways with her husband and does not wish to retain the said amount of Rs.2,00,000/-.

In this view of the matter, the present petition seeking quashing of FIR No.230 dated 25.11.2015 under Sections 406, 498-A, 323, 148 IPC registered at Police Station City Kharar, Punjab solely on the basis of compromise does not survive.

Learned counsel for the petitioners seeks to withdraw this petition.

Dismissed as withdrawn.

(LISA GILL)
JUDGE

January 10, 2018

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Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No