

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

Crl. Misc-M-9387-2017 (O&M)

Date of Decision: 09.08.2018.

Tajender Pal Singh and others

...Petitioners

Versus

State of Haryana and another

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Lajpat Sharma, Advocate
for the petitioners.

Ms. Gaganpreet Kaur, AAG, Haryana.

Mr. Parminder Singh, Advocate
for respondent No.2.

JAISHREE THAKUR, J. (Oral)

This is petition filed under Section 482 Cr.P.C. for quashing of FIR No. 43 dated 24.07.2016 under Sections 323, 506 of IPC , (later on added Section 498-A and 406 of IPC) registered at Women Police Station, Panchkula, District Panchkula on the basis of a compromise that was arrived at between the parties.

The petitioner No.1, who is present in person, submits that he had solemnized the marriage with Guneet Kaur, respondent No.2 and out of this wedlock, a daughter was born on 22.10.2012. Thereafter a matrimonial discord arose between him and respondent No.2 which led to

the registration of the aforesaid FIR. He thereafter approached this Court through the present petition, seeking grant of anticipatory bail and during the pendency of the petition, the matter was referred to Mediation and Conciliation Centre of this Court and it is reported that mediation is successful in CRM-M-2949-2016 titled as Tejender Pal Singh Vs. State of Haryana.

As per settlement agreement that have arrived at between the parties, it is agreed that the parties would reside separately and that the custody of the daughter would be handed over to the husband namely the petitioner herein. She had expressed a desire that she would not claim any alimony, however, the minor should be made secure by way of transfer of some property in her name. It was also agreed that the parties would file a petition under Section 13-B of the Hindu Marriage Act at Sonapat for dissolution of the marriage and they would part ways, while agreeing to withdraw all litigations that had been filed against each other.

Pursuant to the said compromise, custody of the minor daughter is with the petitioner herein and his mother has already transferred land valued at Rs.30 lakh approximately in favour of the minor.

Since the divorce has not been obtained between the parties, the complainant submits that she would like to reconsider the option of residing with the petitioner.

Today, both the parties are present in Court and in principle they have decided to give the marriage another chance. The only apprehension raised by the complainant herein is that she may not be treated unkindly by the petitioner herein. They have also decided that they would

reside either at Delhi or at Chandigarh to which the petitioner herein is agreed.

I have heard learned counsels for the parties.

In view of the fact that a compromise has been arrived at between the parties through the mediation and the minor child is in the custody of the father- the petitioner herein and she has been made secure by virtue of land having been transferred in her name by the grandmother, this Court does not have any hesitation in quashing the FIR on the basis of the compromise that have been arrived at between the parties .

The apprehension of the complainant at the moment seems to be unwanted. However, the respondent is always at liberty to approach the authorities afresh, if there would be any such cause of action arise.

Petition stands quashed .

August 09, 2018
seema

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No