

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-48646-2018 (O&M)
Date of Decision:-26.11.2019

Bharat Bhushan ... Petitioner

Versus

State of Punjab and another ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. H.P.S. Ghuman, Advocate for the petitioner.

Ms. Ruchika Sabherwal, Assistant Advocate General, Punjab.

Mr. Gautam Kumar, Advocate for
Mr. Satnam Singh Gill, Advocate for respondent No.2.

GURVINDER SINGH GILL, J.(Oral)

The petitioner has approached this Court seeking quashing of FIR No.02 dated 13.4.2016 registered at Police Station NRI, Sangrur, District Sangrur under Sections 406, 498-A and 120-B of Indian Penal Code, 1860 and all subsequent proceedings emanating therefrom on the basis of a compromise having been effected between the parties.

Although the parties had entered into a compromise dated 22.5.2018 (Annexure P-5) and later another agreement dated 24.5.2018 (Annexure P-2) was also entered into between the parties, but it appears that there were some unresolved issues regarding the modalities of compromise

and consequently this Court vide order dated 14.11.2019 had referred the parties to Mediation and Conciliation Center of this Court which has yielded results and a settlement/agreement dated 25.11.2019 has been entered into. The relevant conditions, which have been agreed amongst the parties, read as follows:

“6. The mediation proceedings were held and parties have settled their outstanding disputes on the following terms and conditions:-

- a) That the second party shall withdraw her petition for seeking divorce under Section 13 of HMA, 1955 filed against her husband-Bharat Bhushan, presently pending before the Ld. Additional District Judge Sangrur and both the parties shall file on 13.12.2019 a joint petition under Section 13-B of HMA 1955 for seeking divorce on the ground of mutual consent at Sangrur.
- b) That the second party shall withdraw her petition filed under Section 125 Cr.P.C., for seeking maintenance/permanent alimony presently pending before the Court of CJM Sangrur. The second party acknowledges the receipt of Rs.4,50,000/- (Four Lakh and Fifty Thousand) from the first party during the pendency of the litigation and today the first party handed over to the second party a demand draft no.458362 dated 20.11.2019 amounting to Rs.1,00,000/- (Rupees One Lakh) corporation Bank Sirhind as full and final settlement of the permanent alimony of the second party which amount has been accepted by the second party as full and final settlement of her all claims for the permanent alimony whatsoever.”

The complainant Ms. Harpreet Kaur is present in person alongwith Mr. Gautam Kumar, Advocate for Mr. Satnam Singh Gill, Advocate for respondent No.2. Upon being asked the complainant has admitted the factum of compromise and has stated that she has no objection for quashing of the FIR as all the issues stand resolved.

In view of the aforestated position, where the parties have amicably resolved their issues and in view of law laid down by Full Bench of this Court in 2007(3) RCR (Crl.) 1052 Kulwinder Singh and others Vs. State of Punjab, the present petition is allowed and FIR No.02 dated 13.4.2016 registered at Police Station NRI, Sangrur, District Sangrur under Sections 406, 498-A and 120-B of Indian Penal Code, 1860 and all subsequent proceedings emanating therefrom are hereby quashed qua petitioner.

26.11.2019

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**(Gurvinder Singh Gill)
Judge**

Whether reasoned/speaking

Yes / No

Whether reportable

Yes / No