

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 223

CRM-M-24488-2020 (O&M)

Date of decision : 04.11.2020

Sandeep Singh

..... Petitioner

VERSUS

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Sanjiv Gupta, Advocate, for the petitioner.

Ms.Rashmi Attri, AAG, Punjab.

Mr.Alok Kumar Jain, Advocate, for respondent No.2.

DEEPAK SIBAL, J. (ORAL)

Case taken up through video conferencing.

The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.77 dated 30.08.2018 registered under Sections 406 and 498-A IPC at Police Station Women Cell, Patiala and subsequent proceedings arising therefrom on the ground that the dispute which was the subject matter of the FIR has since been resolved.

The complainant/respondent No.2 has appeared through counsel and stated that the impugned FIR which was lodged at her behest and arose out of a matrimonial discord between her and the petitioner has been amicably resolved on 09.09.2019 before the Mediation & Conciliation Centre, Patiala. She further submits that in pursuance to the settlement arrived at between the parties the Principal Family Court, Patiala has also passed a decree of divorce between the complainant and the petitioner. In the light of these circumstances the complainant has no objection if the prayer made in the present petition is allowed.

The impugned FIR was lodged at the behest of the complainant and was a result of matrimonial discord between the parties which has since

been resolved ending in the passing of a decree of divorce between them. In view of such decree of divorce as also the settlement arrived at between the parties before the Mediation & Conciliation Centre, Patiala, the parties intend to put to an end the litigation between them to start afresh with their lives. Such a prayer made in the above circumstances and particularly in view of the law laid down by the Full Bench of this Court in *Kulwinder Singh and others Vs. State of Punjab and others*, 2007 (3) RCR (Criminal) 1052 should be accepted.

The State has also no objection if, in the above circumstances, the petitioner's prayer is accepted.

In view of the above, this Court is of the opinion that it would be just and appropriate to allow the present petition and resultantly quash FIR No.77 dated 30.08.2018, registered under Sections 406 and 498-A IPC at Police Station Women Cell, Patiala and all proceedings arising therefrom qua the petitioner.

No costs.

04.11.2020
shamsher

[DEEPAK SIBAL]
JUDGE

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