

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-28076-2020
Date of decision: 16.9.2020

Ankit

.....Petitioner.

vs.

State of Haryana and another

.....Respondents.

CORAM: - HON'BLE MR. JUSTICE SANJAY KUMAR

Present: - Mr. N.K. Malhotra, Advocate, for the petitioner.

Ms. Mahima Yashpal, Deputy Advocate General, Haryana.

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Sanjay Kumar, J. (ORAL)

The petitioner is the husband of the second respondent. Upon her complaint, FIR No. 0073 dated 28.11.2019 was registered on the file of Police Station Bahuakbarpur, District Rohtak, under Sections 323, 34, 354-A, 406 and 498-A IPC.

It appears that the couple thereafter settled their differences, by way of compromise deed dated 2.9.2020. In terms thereof, they decided to obtain a decree of divorce by mutual consent and the husband agreed to pay a certain sum of money to the wife in lumpsum. The wife, on her part, agreed to the quashing of the criminal case lodged against the husband and also withdraw the maintenance case instituted by her. It is on the strength of this compromise that the petitioner filed this petition under Section 482 Cr.P.C. to quash the subject FIR.

Mr. Madan Sandhu, learned counsel, entered appearance for the second respondent-wife and filed his power of attorney. He affirms the factum of compromise and states that the parties were also granted a decree of divorce on 10.9.2020 by the Family Court.

In that view of the matter, even if this case is taken to its logical conclusion, it would only be an exercise in futility as the parties have already settled their differences. Therefore, no purpose would be served in wasting the time and resources of the State in pursuing this case to its pre-ordained end. In consequence, it would be better to give a quietus to the issue at this stage.

The petition is allowed. FIR No. 0073 dated 28.11.2019 on the file of Police Station Bahuakbarpur, District Rohtak, registered under Sections 323, 34, 354-A, 406 and 498-A IPC, and all other proceedings relating thereto shall accordingly stand quashed.

(SANJAY KUMAR)
JUDGE

16.9.2020

preeti

whether speaking/non speaking

yes/no

whether reportable/non reportable

yes/no