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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-31062-2020

Date of decision: 05.10.2020

Ankur alias Ankur Kumar and others

..... Petitioners

V/s.

State of Punjab and others

..... Respondents

CORAM: - HON'BLE MR. JUSTICE SANJAY KUMAR

Present: Mr. Aman Garg, Advocate for the petitioners.

Mr. Gaurav Garg Dhuriwala, Senior DAG, Punjab.

Mr. Mukul Singla, Advocate for respondents No.2 and 3.

Sanjay Kumar. J.

The petitioners are the accused in FIR No.0054 dated 08.02.2018 on the file of Police Station City Sangrur, District Sangrur, registered under Sections 498-A and 406 IPC. The first petitioner is the husband of the third respondent herein and the second and third petitioners are his parents. The second respondent is the father of the third respondent. By way of this petition filed under Section 482 Cr.P.C, the petitioners seek quashing of the subject FIR.

The basis for this prayer is the compromise that is stated to have been effected by and between the parties on 11.09.2020. The affidavits executed by the second respondent and his daughter, the third respondent, are placed on record as Annexures P-6 and P-7.

The alleged offences, in essence, arise out of a matrimonial dispute. While so, the parties seem to have settled their differences and decided to dissolve the matrimonial relationship between the first petitioner and the third respondent. A petition for a decree of divorce by mutual consent is stated to be pending before the learned District Judge, Sangrur. Custody of the child born to the couple is to remain with the first petitioner-father in terms of the statement made by the third respondent-mother before the learned District Judge, Sangrur, on 11.09.2020.

The second and third respondents entered appearance in this case through Mr. Mukul Singla, learned counsel. He filed his power of attorney on their behalf and the same is taken on record. He affirms the factum of the compromise and states that his clients have no objection to the subject FIR being quashed.

Mr. Gaurav Garg Dhuriwala, learned Senior Deputy Advocate General, Punjab, would inform this Court that charges have already been framed in the case. He would further state that no other FIR is registered against the accused and that all three of them have secured bail in relation to this case.

The matter is essentially of a private nature arising out of a matrimonial dispute and the parties seem to have amicably settled all their issues, including child custody. The fate of the present criminal case stands sealed by the compromise arrived at by and between the parties. There would be no purpose served in the State wasting its time and resources in carrying this case forward to its inevitable and futile conclusion. It would thus be appropriate to give a quietus to the matter at this stage.

The petition is allowed. FIR No.0054 dated 08.02.2018 on the file of Police Station City Sangrur, District Sangrur, and all proceedings relating thereto are accordingly quashed.

(SANJAY KUMAR)
JUDGE

05.10.2020

rakesh

whether speaking/non speaking : Yes/no

whether reportable/non reportable : Yes/no