

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

229

CRM-M-5810-2020

Date of Decision: January 18, 2021

Dr. Nitin Vaidya

..... Petitioner

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Sumeet Singh Brar, Advocate, for the petitioner.

Mr. B.S. Sewak, Additional Advocate General, Punjab

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

SUDIP AHLUWALIA J. (ORAL)

In this petition, the petitioner, who is an accused in F.I.R No.46, dated 20.10.2014, under Sections 498-A, 406 of the Indian Penal Code, 1860 (for short 'IPC') registered at Women Police Station, District Bathinda, Punjab (Annexure P-1/T), has prayed for quashing of F.I.R. with all subsequent proceedings arising therefrom, on the basis of compromise.

[2]. With the intervention of respectables and elderly people of the society, the complainant has arrived at a settlement with the accused vide Compromise (Annexure P-2) which is duly signed by her. The matter was referred to the Court below for recording of statements of the parties and to report with respect to genuineness of the compromise arrived at between the parties. The Judicial Magistrate Ist Class, Bathinda, vide report dated 09.03.2020 has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

[3]. Respondent No.2 is represented by her Counsel through Video Conferencing, who does not dispute the compromise.

[4]. In view of the report of the Judicial Magistrate Ist Class, Bathinda and in view of the decisions of the Hon'ble Supreme Court in **“Gian Singh Vs. State of Punjab and another”, 2012(4) RCR (Criminal) 543** and **“Narinder Singh and Others Vs. State of Punjab and Another”, (2014) 6 SCC 466**, this Court is of the opinion that no useful purpose can be served by keeping the criminal proceedings pending, since the complainant has herself compromised the dispute with the petitioner.

[5]. In the circumstances, the present petition is allowed. F.I.R No.46, dated 20.10.2014, under Sections 498-A, 406 IPC, registered at Women Police Station, District Bathinda, Punjab (Annexure P-1/T), with all consequential proceedings arising therefrom, is hereby quashed qua the present petitioner.

(SUDIP AHLUWALIA)
JUDGE

January 18, 2021
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1. Whether speaking/reasoned: Yes
2. Whether reportable: No