

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

121+224

CRM-M-33034 of 2020 (O&M)

Date of decision:11.11.2022

Vikram Sharma

... Petitioner

Vs.

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Varun Dhawan, Advocate for
Mr. Vaibhav Sehgal, Advocate
for the petitioner.

Mr. Jashanpreet Singh, DAG, Punjab.

Ms. Urvashi Singh, Advocate
for respondents No.2 and 3.

SUVIR SEHGAL, J. (Oral)

CRM No.42804 of 2022

Application is allowed as prayed for.

Judgment and decree dated 19.01.2021 is taken on record as
Annexure P-3

CRM-M-33034-2020

Instant petition has been filed under Section 482 of the Code of
Criminal Procedure, 1973 for quashing of FIR No.5 dated 02.02.2019,
registered for offence under Section 498-A of the Indian Penal Code, 1860,
at Police Station Women, District Ferozepur (Annexure P-1), alongwith all

consequential proceedings arising therefrom, on the basis of panchayati compromise dated 03.09.2019 (Annexure P-2).

Counsel for the petitioner submits that petitioner is the husband of respondent No.3 and their marriage was solemnized on 02.09.2017 at Ferozepur. He submits that due to incompatibility, parties could not pull along and FIR (Annexure P-1), which has been lodged by respondent No.2, who is a father of respondent No.3, is result of bitterness and acrimony between the parties. He submits that matrimonial dispute has been settled by panchayati compromise, Annexure P-2, petitioner has paid the entire permanent alimony of Rs.11.00 lacs and marriage has been dissolved by mutual consent by judgment and decree, Annexure P-3. Counsel submits that there is no issue out of the wedlock.

Upon instructions received from ASI Jagjit Singh, State counsel submits that matter is under investigation.

Counsel representing respondents No.2 and 3 has admitted the factum of compromise and supported the prayer made in the petition.

Heard counsel for the parties.

Vide orders dated 15.10.2020 and 15.03.2022, this Court directed the parties to appear before the Trial Court/Area Magistrate for recording of their statements in support of the compromise and a report was called, which has been received and its relevant extract is as under:-

- i) *As per the statement of ASI Jagjit Singh No.555/FZR P.S.Women Ferozepur, there is only one accused namely*

Vikram Sharma. No accused is declared as proclaimed offender in the present case.

ii) As per the statement of ASI Jagjit Singh No.555/FZR P.S.Women Ferozepur, there is one complainant namely Dalip Kumar Sharma and he alongwith his daughter has made statement in the Court on 25.03.2022.

iii) No remand paper is pending in this Court.

iv) Statements given by both the parties are genuine, voluntarily and out of free will of the parties and from the statement of the parties, the compromise seems to be genuine. Copies of statement are attached herewith for his Lordship's kind perusal.

v) As per statement of ASI Jagjit Singh No.555/FZR P.S.Women Ferozepur, no other case is registered against the accused.”

It is evident that FIR, Annexure P-1, is an outcome of a marital discord, which has been amicably settled and marriage has been dissolved. Parties have decided to give a quietus to the dispute and are leading separate lives.

Keeping in view the above development, report of the Trial Court and judgments of Supreme Court in **B.S.Joshi and others Vs. State of Haryana and another (2003) 4 SCC 675** and **Narinder Singh Versus State of Punjab (2014) 6 SCC 466**, this Court is of the opinion that

lingering the criminal proceedings would not serve any purpose.

Accordingly, petition is allowed. FIR No.5 dated 02.02.2019, registered for offence under Section 498-A of the Indian Penal Code, 1860, at Police Station Women, District Ferozepur (Annexure P-1), alongwith all consequential proceedings arising therefrom, are quashed qua the petitioner.

November 11, 2022

savita

(SUVIR SEHGAL)
JUDGE

<i>Whether Speaking/Reasoned</i>	<i>Yes</i>
<i>Whether Reportable</i>	<i>Yes</i>