

2023:PHHC:050813

CRM-M-4390-2018

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

240

CRM-M-4390-2018

Date of Decision:-**April 12, 2023**

Harjinder Kumar @ Sonu and others

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr. L.S. Maan, Advocate for the petitioners.

Mr. Pankaj Khullar, AAG, Punjab.

Mr. H.P.S. Ishar, Advocate for respondent No.2.

ALOK JAIN, J. (Oral)

The present petition is for quashing of FIR No.96 dated 28.11.2017 under Sections 406 and 498-A of Indian Penal Code, Police Station Mukandpur, District SBS Nagar (Annexure P-1).

Learned counsel for the petitioners submits that in fact the parties had compromised the matter but the respondent No.2 had retracted from the said compromise.

Per contra, learned counsel for respondent No.2 submits that in fact, it was the petitioners who were not complying with the compromise and has failed to make the payment of Rs. 2,00,000/- to the petitioner.

At this stage, learned counsel for the parties are *ad idem* that in fact, now the petition under Section 13-B of Hindu Marriage Act has been filed and the amount has been paid and further a decree of divorce by

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mutual divorce has been granted by learned Principal Judge, Family Court, SBS Nagar.

In light of the above, the present petition is allowed. FIR No.96 dated 28.11.2017 under Sections 406 and 498-A of Indian Penal Code, Police Station Mukandpur, District SBS Nagar (Annexure P-1) is hereby quashed *qua* the petitioners, subject to payment of cost of Rs. 10,000/- to be deposited by the petitioners jointly and Rs. 10,000/- to be deposited by respondent No.2 within one month from today in the following account:-

Account Name – Punjab and Haryana High Court Bar Association Lawyer’s Family Welfare Fund.

Account No. - 41564846387

Bank Name – SBI High Court Branch.

**(ALOK JAIN)
JUDGE**

April 12, 2023
Parul

Whether speaking/reasoned:-	Yes/No
Whether Reportable:-	Yes/No