
(1993) 07 P&H CK 0042

In the Punjab And Haryana At Chandigarh

Case No : Criminal Miscellaneous No. 2588-M of 1993

Gulab Singh and Others

APPELLANT

Vs

State of Haryana and Another

RESPONDENT

Date of Decision : 27-07-1993

Acts Referred:

Criminal Procedure Code, 1973 (CrPC) — Section 482
Penal Code, 1860 (IPC) — Section 406, 498A

Citation : (1993) 2 DMC 596

Hon'ble Judges : G.S. Chahal, J

Bench : Single Bench

Advocate : D.V. Gupta, for the Appellant; Azad Singh, AAG for the Respondent No. 1 and S.S. Toor, for the Respondent No. 2, for the Respondent

Judgement

G.S. Chahal, J.—Gulab Singh alongwith his mother and sister has come up in this petition u/s 482 of the Code of Criminal Procedure for quashing of the FIR No. 43 of 1989, Police Station Chandi Mandir, for offences under Sections 406/498A of the Indian Penal Code, and all consequent proceedings.

2. The case was registered on the basis of the statement of Smt. Santosh Kumari respondent No. 2. During the pendency of the proceedings the husband and the wife have applied to the Court of the District Judge, Ambala, for a decree of divorce by mutual consent under the provisions of Section 13B of the Hindu Marriage Act. This petition was allowed and a decree dated 21-4-1992 for dissolution of marriage had been passed. In para No. 7 of the petition it had been agreed between the parties that both the parties will withdraw their respective petitions initiated against each other and Smt. Santosh Kumari will make a statement before the Court for withdrawal of case under Sections 406 and 498A of the Indian Penal Code and will also admit claim of her husband in this Court.

3. Mr. S.S. Toor, Advocate, who appears for Smt. Santosh Kumari admits the correctness of the facts stated in Annexure P. 4 and he also admits the

correctness of receipt Annexure P. 5, All the disputes between the husband and wife have since been settled and the wife has been paid a total amount of Rs. 16000/- in satisfaction of her claim. Taking a broader view it shall be proper that after the dissolution of the marriage of Smt. Santosh Kumari and Gulab Singh the parties and their other relations live in peace. I hereby, accept this petition and quash the FIR No. 43 of 1989 registered at Police Station Chandi Mandir, and all consequent proceedings.