

(2009) 01 P&H CK 0203

In the Punjab And Haryana At Chandigarh

Case No : Criminal Miscellaneous No. M-23994 of 2008

Kulwinder Singh and others

APPELLANT

Vs

State of Punjab and another

RESPONDENT

Date of Decision : 20-01-2009

Acts Referred:

Criminal Procedure Code, 1973 (CrPC) — Section 482
Protection of Women From Domestic Violence Act, 2005 — Section 31

Citation : (2009) 5 RCR(Criminal) 784

Hon'ble Judges : Kanwaljit Singh Ahluwalia, J

Bench : Single Bench

Advocate : Rajinder Pal Singh Rana, Mr. Mehardeep Singh, AAG, Punjab, for the Appellant; Naresh Kaushik, for the Respondent

Judgement

Kanwaljit Singh Ahluwalia, J.—The present petition u/s 482 of the Code of Criminal Procedure has been filed by Kulwinder Singh father-in-law, Baljit Kaur mother-in-law, Bikaramjit Singh brother of husband, Inderjeet Singh husband and Manjit Singh uncle of the husband for quashing of FIR No. 142 dated 23.10.2007, Annexure P-1 registered at Police Station Lambra, District Jalandhar under Sections 323, 406, 498-A, 506, 148, 149 IPC and u/s 31 of the Protection of Women from Domestic Violence Act, 2005.

2. Aggrieved wife has been impleaded as respondent No. 2. Petitioners have sought quashing of FIR on basis of compromise. Agreement/compromise has been attached as Annexure P4. Amarjit Kaur is present in Court. Dr. Naresh Kaushik, Advocate is appearing for her. She has been identified by him. Reply has also been filed by way of affidavit of respondent Amarjit Kaur. It has been stated therein that FIR was registered due to differences between the parties. Amarjit Kaur was married with Inderjeet Singh on 10.3.2007. Now on the intervention of the respectables, a compromise has been arrived at. A joint petition for mutual divorce u/s 13-B of the Hindu Marriage Act has been filed and case is fixed for 4.6.2009. It has been further stated that Amarjit Kaur has

received a sum of Rs. 6 lacs in cash from family of Inderjeet Singh. She has stated in Court that FIR be quashed so that parties to the marriage can gracefully part.

3. It has been held in Kulwinder Singh and others v. State of Punjab and another, 2007 (3) RCR Cri 1052. that where a compromise has been effected between the parties, continuation of proceedings will serve no useful purpose. Therefore, the impugned FIR along with all subsequent proceedings is quashed.

Petition is disposed off.