

(2000) 11 P&H CK 0093

In the Punjab And Haryana At Chandigarh

Case No : Criminal Miscellaneous No. 3896 of-M of 1999

Sonu

APPELLANT

Vs

Sate of Haryana and another

RESPONDENT

Date of Decision : 28-11-2000

Acts Referred:

Criminal Procedure Code, 1973 (CrPC) — Section 320, 482
Penal Code, 1860 (IPC) — Section 498A

Citation : (2001) 1 RCR(Criminal) 751

Hon'ble Judges : Amar Dutt, J

Bench : Single Bench

Advocate : Mr. J.S. Thind, for the Appellant; Mr. Rajesh Bhardwaj, AAG, Mr. D.S. Dhillon, for the Respondent

Judgement

Amar Dutt, J.—Through this petition, the petitioner Sonu, son of Sukhciev Singli seeks the quashing of F.I.R. No. 20 dated 15.2.1993 registered at P.S. Etlenahad District Sirsa u/s 498A IPC at the behest of Parvinder Kaur, respondent No. 2.

2. According to the petitioner after the registration of the F.I.R. he and his wife have resolved their differences and have resumed cohabitation in the matrimonial home. Alongwith the petition he had appended the settlement dated 23.10.1999 marked "A" and prayed that the petition be accepted and the F.I.R. be quashed.

3. The wife was arrayed as respondent No. 2 and on her behalf Shri D.S. Dilillon, Advocate had put in appearance. On 1.11.2000 both the parties were present and their statements were recorded.

4. I have heard the learned counsel for the parties and have perused the record.

5. In this case, the F.I.R. was registered against the petitioner at the behest of respondent No. 2 in consequence of the matrimonial differences that had arisen between them. In the circumstances, that the parties have resolved their difference and according to the statements made by them before the Court, they

have resumed cohabitation, the petition has got to be accepted so as to facilitate the reconciliation between the parties and remove any hindrance that may still exist on account of the registration of the F.I.R. Even otherwise, since no witness would be available in support of the case, in my view, no useful purpose would be served by forcing the parties to proceed with the criminal litigation. The petition is accordingly allowed and the F.I.R. No. 20 dated 15.2.1993 u/s 498A, I.P.C. registered at P.S. Ellenabad Sirsa alongwith the consequential proceedings arising therefrom are quashed.

6. Petition allowed.