
(2000) 11 P&H CK 0119

In the Punjab And Haryana At Chandigarh

Case No : Criminal Miscellaneous No. 42824 of 2000 and Criminal Miscellaneous No. 11464-M of 2000

Ujjagar Singh

APPELLANT

Vs

Punjab State

RESPONDENT

Date of Decision : 20-11-2000

Acts Referred:

Criminal Procedure Code, 1973 (CrPC) — Section 320, 482
Penal Code, 1860 (IPC) — Section 120

Citation : (2001) 1 RCR(Criminal) 221

Hon'ble Judges : S.S. Nijjar, J

Bench : Single Bench

Advocate : Mr. Hardeep Singh and Mr. Sanjeev Gupta, for the Appellant; Ms. Tajinder Kaur alias Ms. Simaranjit Kaur, in-person, Mr. P.S. Ghuman and Mr. S.S. Gill, AAG, Punjab, for the Respondent

Judgement

S.S. Nijjar, J.—Crl.Misc. No. 42824 of 2000 is allowed. Annexures P-6 to P-9 are taken on record.

Crl.Misc. No. 11464-M of 2000

This petition has been filed u/s 482 Cr.P.C. for quashing the FIR No. 332 dated 22.12.1999, Police Station Kotwali Distt. Bhalinda, under Sections 498A and 120B of the IPC and subsequent proceedings thereto.

2. Notice of motion was issued and filing of the charge-sheet had been stayed,

3. The parties are present in Court. Annexure P-6 is a written agreement of compromise entered into between the parties in the Court of learned District Judge, Ludhiana. On the basis of this agreement, a sum of Rs. 1,60,000/- was paid by the husband to the wife in the Court of learned District Judge, Ludhiana. As per the agreement, a sum of Rs. 1,65,000/- has been handed over by the husband to the wife today in Court. By the agreement reached in the Court of learned District Judge, Ludhiana, the parties have been granted a decree of

divorce by mutual consent. Wife, Tajinder Kaur @ Simranjit Kaur had made a statement before the learned District Judge, Ludhiana, on 14.9.2000, accepting that she had received a sum of Rs. 1,60,000/- from Hardeep Singh, husband, in Court. She had also stated that a petition is separately pending in the High Court for the quashing of the FIR got registered by her against the husband.

4. In view of the above, the parties have made a joint request that in the interest of justice this court should put an end to the criminal proceedings pending in the District Court, Ludhiana.

5. After having carefully gone through the facts and circumstances of the case, I am of the opinion that it would be in the interest of justice to put an end to the criminal proceedings pending against the petitioner/petitioners.

6. In view of the above, this petition is allowed. FIR No. 332 dated 22.12.1999, Police Station Kotwali, Bhatinda, for the offences under Sections 498A and 120B of the IPC, together with all subsequent proceedings, is hereby quashed. No costs.

7. Petition allowed.