

(2011) 11 P&H CK 0194

High Court Of Punjab And Haryana At Chandigarh

Case No: Criminal Miscellaneous No. M-30607 of 2011 (O and M)

Rakesh Kumar Gupta and others

APPELLANT

Vs

The State of Punjab and another

RESPONDENT

Date of Decision: Nov. 7, 2011

Acts Referred:

- Criminal Procedure Code, 1973 (CrPC) - Section 482
- Penal Code, 1860 (IPC) - Section 323, 406, 498A, 506

Hon'ble Judges: Ajai Lamba, J

Bench: Single Bench

Final Decision: Allowed

Judgement

Ajai Lamba, J.

This petition has been filed u/s 482, Code of Criminal Procedure, praying for quashing of FIR No.69 dated 3.5.2011 under Sections 323, 406, 498-A, 506 Indian Penal Code, Police Station, City Jagraon, District Ludhiana Rural (Annexure P-1) and subsequent proceedings, on the basis of compromise dated 3.10.2011 (Annexure P-2).

2. Learned counsel appearing for the petitioners contends that petitioner No.1-Rakesh Kumar Gupta was married to respondent No.2-Deepti Gupta. On account of matrimonial discord, the FIR came to be lodged. Now the disputes have been settled by way of compromise. Petitioner No.1-Rakesh Kumar Gupta and respondent No.2-Deepti Gupta are now living together as husband and wife. Deepti, as identified by her counsel Mr.Vivek S.Dalal, Advocate, states that indeed all the disputes have been settled by way of compromise. She has now been rehabilitated in her matrimonial home and, therefore, she does not want to prosecute the petitioners. She has stated that she herself and her daughter aged 3 years are being maintained and treated with due respect and regard.

3. I have considered the contentions of the learned counsel.

4. The FIR came to be lodged on account of matrimonial differences and now the disputes have been settled by way of compromise. Respondent No.2-complainant has been rehabilitated in her matrimonial home. Continuance of proceedings shall disturb the matrimonial life of petitioner No.1 and respondent No.2 and shall also ruin the life of the child. Continuance of proceedings shall not be in the interest of peace and harmony.

5. Learned counsel for the respondent-State states that because the parties have settled their disputes by way of compromise, the petition for quashing of FIR is not opposed.

6. In view of the above, the petition is allowed.

7. FIR No.69 dated 3.5.2011 under Sections 323, 406, 498-A, 506 Indian Penal Code, Police Station, City Jagraon, District Ludhiana Rural (Annexure P-1) and subsequent proceedings, are hereby quashed.