

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**Crl. Misc. No. M-39349 of 2014 (O&M)
Date of decision: 12.02.2015**

Sanjiv Kumar Modi

...Petitioner

versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Tarun Singla, Advocate,
for the petitioner.

Mr. Daljit Singh Virk, AAG, Punjab.

RITU BAHRI, J.

Quashing of FIR No. 181 dated 08.03.2010, under Sections 452/323/148/149/506 IPC, registered at Police Station Kotwali Bathinda (Annexure P-1), is sought on the basis of compromise dated 11.11.2014 (Annexure P-3).

The F.I.R was registered on the basis of application/complaint made by Sanjay Goyal-respondent No.2, brother-in-law of the petitioner, alleging that marriage of his maternal cousin, Shallu was solemnized with Sanjiv Kumar-petitioner. Out of this wedlock, two children were born. It was alleged that the petitioner and his parents had harassed and humiliated Shallu on account of inadequate dowry. Thereafter, the complainant took her at his house along with minor children. While he was taking them to his house, the petitioner along with 10/12 persons chased the petitioner in his Maruti Car bearing registration No. PB-51-3944. Thereafter, they armed with

deadly weapons, forcibly entered the house of the complainant and tried to inflict injuries. On raising an alarm, the brother of the complainant intervened and saved the complainant, his cousin Shallu and minor children from the clutches of the accused-petitioner. In this background, the FIR was registered.

During the pendency of the trial, with the intervention of respectable persons, the matter has now been resolved between the petitioner and respondent No.2 vide compromise (Annexure P-3).

In compliance with the order dated 18.11.2014 passed by this Court, the parties got recorded their statements before the trial Court. Report from the Chief Judicial Magistrate, Bathinda, has been received in this regard. As per report, Sanjay Goyal-respondent No.2 (complainant) made his statement on 27.11.2014 to the effect that he has compromised the matter with Sanjiv Kumar-accused (petitioner) and has no objection, if the above said FIR is quashed. Statement of Sanjiv Kumar-petitioner was also recorded to the same effect. The parties were identified by Mr. Nand Lal Garg, Advocate. In view of separate statements of the parties, the court is satisfied that the compromise is valid and genuine one.

Consequently, in view of the status report and the judgment of the Hon'ble Supreme Court in the case of **Madan Mohan Abbot vs. State of Punjab 2008(2) RCR (Criminal) 429**, the law laid down by the Full Bench of this Court in the case of **Kulwinder Singh and Ors. vs. State of Punjab and another 2007(3) RCR (Crl.) 1052**, this Court is of the view that no useful purpose would be served in prolonging the litigation.

Accordingly, FIR No. 181 dated 08.03.2010, under Sections 452/323/148/149/506 IPC, registered at Police Station Kotwali Bathinda, is

quashed with all consequential proceedings arising therefrom qua the petitioner.

The petition stands disposed of accordingly.

(RITU BAHRI)
JUDGE

12.02.2015
ajp