

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

**CRM No. M-10091 of 2016 (O&M)
Date of decision: 14.12.2016**

Richhpal Singh @ Rachpal Singh and another

...Petitioners

Versus

State of U.T., Chandigarh and others

...Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Harish Goyal, Advocate,
for Mr. Rajesh Verma, Advocate,
for the petitioners.

Mr. Gautam Dutt, Advocate,
for U.T., Chandigarh-respondent No.1.

Mr. Ranjit Singh Dhaliwal, Advocate,
for respondent Nos.2 and 3.

Ritu Bahri, J.

Quashing of FIR No. 348 dated 03.07.2013, under Sections 406/498-A IPC, registered at Police Station, Sector 39, U.T., Chandigarh (Annexure P-1) is sought on the basis of compromise effected in divorce petition under Section 13-B of the Hindu Marriage Act before the Lok Adalat (Annexure P-2).

The F.I.R was registered on the basis of complaint made by Jaswinder Singh Brar-respondent No.2 (complainant) to the effect that marriage of his daughter Paramjit Kaur-respondent No.3 was solemnized with Richhpal Singh @ Rachpal Singh-petitioner No.1 on 14.11.2007 at

marriage, her in-laws (petitioners) started harassing and humiliating her on the pretext of bringing insufficient dowry. She was also given beatings by her. Ultimately, she was thrown out of the matrimonial house. In this background, the FIR was registered.

During the pendency of trial, with the intervention of respectable persons, the matter has been compromised between the parties before the Lok Adalat. As per compromise, respondent No.3 and petitioner No.1 have filed a petition under Section 13-B of the Hindu Marriage Act before the District Judge, Chandigarh. Petitioner No.1 had agreed to pay a sum of Rs.6,60,000/- as full and final settlement towards past, present and future maintenance of respondent No.3.

In compliance with the order dated 29.09.2016 passed by this Court, parties got recorded their statements before the trial Court/Illaq Magistrate. Report from the Judicial Magistrate Ist Class, Chandigarh, has been received in this regard. As per report, Jaswinder Singh Brar-respondent No.2 (complainant) made his statement on 21.11.2016 to the effect that he has compromised the matter with accused-petitioners before the Lok Adalat out of his own free will and without any coercion or pressure. Marriage of his daughter-Paramjit Kaur and Richhpal Singh-petitioner No.1 has already been dissolved by decree of divorce with mutual consent under Section 13-B of the Hindu Marriage Act. He has no objection if, the above said FIR is quashed. Paramjit Kaur, daughter of complainant, also made a statement while admitting the factum of compromise. She also stated that she has no objection, if the FIR in question is quashed. Joint statement of Richhpal Singh @ Rachpal Singh and Joginder Singh-petitioners was also recorded to the same effect. In view of separate

statements given by 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 (Cr1.) 1052**, this Court is of the view that no useful purpose would be served in prolonging the litigation.

Accordingly, FIR No. 348 dated 03.07.2013, under Sections 406/498-A IPC, registered at Police Station, Sector 39, U.T., Chandigarh, is quashed with all consequential proceedings arising therefrom qua the petitioners.

The petition stands disposed of accordingly.

14.12.2016
ajp

(RITU BAHRI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No