

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-11349 of 2016

Date of Decision: 11.07.2016

Vineet Kumar alias Vineet Girdhar and others

.....Petitioners

Vs.

State of Haryana and another

.....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr.Namit Khurana, Advocate for the petitioners.

Mr.Himmat Singh, DAG Haryana.

RITU BAHRI, J. (ORAL)

The instant petition has been filed under Section 482 of the Code of Criminal Procedure for quashing of FIR No.405 dated 25.05.2014, for the offence under Sections 323, 498-A, 406, 506 IPC registered at Police Station Civil Lines, Karnal, (Annexure P-1) along with all consequential proceedings arising therefrom, on the basis of compromise dated 25.03.2016 (Annexure P-2).

The FIR was registered on the basis of statement made by Neha Girdhar to the effect that her marriage was performed with Vineet Kumar @ Vineet Girdhar as per hindu rights and ceremonies at Karnal. The parents of complainant had spent huge amount on the marriage and other ceremonies of her daughter. Sufficient dowry articles were given by the parents of the complainant to the accused persons. Even parents of the complainant had borrowed some loan in order to meet out the demand of the the accused persons. They had given Hyundai I-10 car and jewellery at the time of marriage at Karnal. It was alleged by the complainant that since the beginning of the marriage, the behaviour of the petitioners and their family members was rude towards her. They were not satisfied with the dowry articles brought by them at the time of marriage. Besides, they used

to illtreat and taunt her for bringing inadequate dowry. They were maltreating, torturing and beating the complainant with a view to compel her to bring more dowry from her parents as they were not satisfied with the quality and quantity of the dowry and article given by her parents. One female child namely Sacchi was born, out of this wedlock but family members of in-laws had wanted for a male child. Accused persons also threatened the complainant as well as her parents to eliminate the complainant and hence, committed offence under Section 506 IPC. On this background, the FIR was registered.

During the pendency of the trial, the matter has been resolved between the petitioners and respondent No.2-Neha Girdhar, vide compromise dated 25.03.2016 (Annexure P-2).

In compliance with the order dated 04.04.2016 passed by this Court, the parties got recorded their statements before the trial Court. Report from the JMIC, Karnal, has been received in this regard. As per report, Neha Girdhar-complainant and accused-petitioners appeared before the trial Court for getting their statements recorded in support of the compromise. In this regard statements of complainant-Neha Girdhar and accused-petitioners were recorded to the effect that they have compromised the matter with complainant-Neha Girdhar without any pressure and undue influence and she has no objection if the present FIR is quashed against these accused. 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 others 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.405 dated 25.05.2014, for the offence under Sections 323, 498-A, 406, 506 IPC registered at Police Station Civil Lines, Karnal, (Annexure P-1) is quashed along with all consequential proceedings arising therefrom qua the petitioners.

The petition stands disposed of accordingly.

(RITU BAHRI)
JUDGE

11.07.2016
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