

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

**CRM No. M-12686 of 2016
Date of decision: 04.11.2016**

Ajit Pal Singh and others

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. M.S. Bedi, Senior Advocate,
with Ms. Manpreet Kaur, Advocate,
for the petitioners.

Ms. Manpreet Dhaliwal, AAG, Punjab.

Mr. Naveen Sharma, Advocate,
for respondent No.2-complainant.

Ritu Bahri, J.

Quashing of FIR No. 78 dated 17.06.2014, under Sections 498-A/406/313/120-B IPC, registered at Police Station, Women, Ludhiana (Annexure P-1) is sought on the basis of compromise dated 15.03.2016 (Annexure P-2).

The F.I.R was registered on the basis of complaint made by Balwinder Kaur-respondent No.2 to the effect that her marriage was solemnized with Ajit Pal Singh-petitioner No.1 on 30.11.2003 as per Sikh rites and ceremonies at Ludhiana. Out of this wedlock, two daughters namely, Mehakdeep Kaur and Arshdeep Kaur born on 18.12.2004 and 27.07.2008 respectively. Soon after the marriage, her in-laws (petitioners)

started harassing and humiliating the complainant on the pretext of bringing insufficient dowry. She was also given beatings by them. 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 vide compromise deed dated 15.03.2016 (Annexure P-2). As per compromise, it has been decided that the petitioners will make payment of Rs.13,50,000/- to respondent No.2-complainant for past, present and future maintenance. Out of the said amount, Rs.6,00,000/- were to be paid at the time of signing the compromise and the remaining amount would be paid at the time of final motion statement in a petition under Section 13-B of Hindu Marriage Act.

Vide order dated 30.09.2016, parties were directed to get their statements recorded before the Illaqa Magistrate/trial Court. As per report dated 02.11.2016 received from the Additional District & Sessions Judge, Ludhiana, none of the parties turned up to get their statements recorded.

Learned counsel for the petitioners has placed on record certified copy of the judgment and decree dated 14.10.2016 passed by the Additional District Judge, Ludhiana. Vide this judgment, marriage of Balwinder Kaur and Ajit Pal Singh has been dissolved by decree of divorce under Section 13-B of Hindu Marriage Act. Along with the judgment, he has also placed on record certified copies of statements made by Balwinder Kaur and Ajit Pal Singh. In her statement before the Court, Balwinder Kaur stated that she had received Rs.6,00,000/- from Ajit Pal Singh at the time of first statement. On 14.10.2016, she had received the remaining amount of Rs.7,50,000/- by way of draft No.214393 dated 05.10.2016 drawn at Union

Bank of India, SAS Nagar, Mohali, towards past, present and future maintenance of herself and her daughter-Mehakdeep Kaur. She had also received dowry articles and settled all the disputes with her husband. She further stated that she will abide by all the terms and conditions of the compromise deed. She undertook to withdraw her application from Bar Council, Punjab & Haryana High Court, Chandigarh. Pursuant to the said statement, decree of divorce dated 14.10.2016 was passed by the Court of Additional District Judge, Ludhiana.

After going through the statement made by complainant-Balwinder Kaur on 14.10.2016, this court is satisfied that the parties have compromised the matter and the aforesaid 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. 78 dated 17.06.2014, under Sections 498-A/406/313/120-B IPC, registered at Police Station, Women, Ludhiana, is quashed with all consequential proceedings arising therefrom qua the petitioners.

The petition stands disposed of accordingly.

04.11.2016
ajp

(RITU BAHRI)
JUDGE