

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-13408 of 2015

Date of Decision: 11.07.2016

Sumit Dua and another

.....Petitioners

Vs.

State of Punjab and another

.....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

**Present:-** Mr.Ajay Singla, Advocate for the petitioners.

Mr.J.S.Riar, AAG Punjab.

Mr.B.S.Rana, Advocate, for respondent No.2.

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**RITU BAHRI, J. (ORAL)**

The instant petition has been filed under Section 482 of the Code of Criminal Procedure for quashing of FIR No.93 dated 04.10.2012, for the offence under Sections 406/498-A IPC registered at Police Station Phase-11, Mohali, (Annexure P-1) along with all consequential proceedings arising therefrom, on the basis of compromise dated 11.12.2013 (Annexure P-2).

The FIR was registered on the basis of statement made by Jagmeet Kaur to the effect that her marriage was performed with Mr.Sumit Dua son of Sh.Ramesh Dua, Model Town, Delhi. 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. Even they rejected the dowry articles given by my mother as per her status and sent the same to the house of middle man and on next day they themselves purchased the articles as per their choice. 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. The in-laws of the complainant had made demand time and again and they threw her out of house and locked the door. Thereafter, with the help of local police, parents of complainant reached there and brought her to parental house. Thereafter, parents of the complainant tried so many times to make a phone call but in-laws never picked the phone and they also never made any call to them. 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-Jagmeet Kaur, vide compromise dated 11.12.2013 (Annexure P-2).

In compliance with the order dated 09.10.2015 passed by this Court, the parties got recorded their statements before the trial Court. Report from the JMIC, Mohali, has been received in this regard. As per report, Jagmeet Kaur-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-Jagmeet Kaur and accused-petitioners were recorded to the effect that they have compromised the matter with complainant-Jagmeet Kaur 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.

Rs.10,000/- is being assessed as litigation expenses according to the compromise deed dated 11.12.2013 which shall be deposited by the petitioners with the Registry of this Court to be paid to complainant/respondent No.2-Jagmeet Kaur. There are no directions given by this Court that Rs.20,000/- is to be paid to complainant/respondent No.2-Jagmeet Kaur according to any of the interim orders as contended by learned counsel for the complainant.

Accordingly, FIR No.93 dated 04.10.2012, for the offence under Sections 406/498-A IPC registered at Police Station Phase-11, Mohali, (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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