

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-15042 of 2016
Date of Decision: 11.08.2016

Rajesh Kumar Bhatia

.....Petitioner

Vs.

State of Haryana and another

.....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr.Ankit Aggarwal, Advocate for the petitioner.

Ms.Mahima Yashpal, AAG Haryana.

Mr.Arun Sharma, Advocate, for respondent No.2.

RITU BAHRI, J. (ORAL)

The instant petition has been filed under Section 482 of the Code of Criminal Procedure for quashing of FIR No.12 dated 05.01.2006, for the offence under Sections 323, 34, 406, 498A, 506 IPC registered at Police Station Civil Lines Karnal, Distt. Karnal (Annexure P-1) along with all consequential proceedings arising therefrom, on the basis of compromise dated 18.04.2016 (Annexure P-2).

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 brought by her at the time of marriage. Besides, she was being beaten by the petitioner after his consuming liquor with a view to kill the complainant. The petitioner was playing gambling and even not attending his duties properly for whole time. Several times panchayats were convened to resolve the dispute and consequently, compromise was effected between the parties but after

sometime the position was found same as mentioned above. On this background, present FIR was registered.

Learned State counsel has filed reply by way of affidavit of Jitender Gahlawat, HPS, DSP, Karnal on behalf of respondent No.1. The same is taken on record.

During the pendency of the trial, the matter has been resolved between the petitioner and respondent No.2-Sonia Bhatia, vide compromise deed dated 18.04.2016 (Annexure P-2).

In compliance with the order dated 04.05.2016 passed by this Court, the parties got recorded their statements before the trial Court. Report from the CJM, Karnal, has been received in this regard. As per report, Sonia Bhatia-complainant and accused-petitioner appeared before the trial Court on 19.05.2016 for getting their statements recorded in support of the compromise. In this regard statements of complainant- Sonia Bhatia and accused-petitioner were recorded to the effect that they have compromised the matter and Sonia Bhatia-complainant has no objection if the present FIR is quashed against the accused/petitioner. Statement of accused-petitioner was also recorded to the same effect. In view of separate statements of the parties, the Court is satisfied that the compromise is valid and genuine one and no proclamation proceedings are pending against the petitioner.

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

that no useful purpose would be served in prolonging the litigation.

Accordingly, FIR No.12 dated 05.01.2006, for the offence under Sections 323, 34, 406, 498A, 506 IPC registered at Police Station Civil Lines Karnal, Distt. Karnal (Annexure P-1) is quashed along with all consequential proceedings arising therefrom qua the petitioner.

The petition stands disposed of accordingly.

(RITU BAHRI)
JUDGE

11.08.2016
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