

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-15109-2016
Decided on: 09.11.2016

Sandeep Nirban and another

.... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Abhimanyu Kalsy, Advocate,
for the petitioners.

Mr. A.P.S. Gill, A.A.G. Punjab.

Ms. Monika Thakur, Advocate,
for respondent No.2.

RITU BAHRI, J (ORAL)

Quashing of FIR No. 34 dated 13.04.2015, under Sections 406/498-A IPC, registered at Police Station, Women, Ludhiana (Annexure P-1) is sought on the basis of compromise.

The F.I.R was registered on the basis of statement made by respondent No.2-(complainant) Ranjeeta against the accused-petitioner No.1 to the effect that her marriage was solemnized with petitioner No.1 Sandeep Nirban on 19.11.2013 according to Hindu Rites. Due to temperamental differences, the parties could not lead happy married life and started living separately w.e.f. February, 2014. Dowry articles were entrusted to petitioners. The accused petitioner and his family members in connivance with each other demanded more dowry motor cycle and Rs.1,00,000/- and harassing respondent No.2 physically and mentally. They

used to demand money from her and took away the istridhan articles of the respondent No.2 in their own custody. On 16.02.2014, the petitioners and his family members left respondent No.2 in her parental house. Since that, she is living at her parental house in compulsion. In this background, the FIR was registered.

During the pendency of the trial, with the intervention of respectable persons of the locality, the matter has now been resolved between the petitioners and respondent No.2. Thereafter, parties have entered into compromise seeking divorce by way of mutual consent.

In compliance with the order dated 22.08.2016 passed by this Court, the parties got recorded their statements before the trial Court. Report from the Judicial Magistrate Ist Class, Ludhiana, has been received in this regard. As per report, Ranjeeta-respondent No.2 (complainant) made her statement on 06.10.2016 that she has compromised the matter with the accused without any pressure, coercion or fear. She has no objection if, the above said FIR is quashed. Statements of Sandeep Nirban-petitioner No.1 and Ms. Asha Nirban-petitioner No.2 were 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.

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**, and 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**, is of the view that no useful purpose would be served in prolonging the litigation.

Accordingly, FIR No. 34 dated 13.04.2015, under Sections 406/498-A IPC, registered at Police Station, Women, Ludhiana, is quashed with all consequential proceedings arising therefrom qua petitioners.

The petition stands disposed of accordingly.

09.11.2016

Dinesh

(RITU BAHRI)
JUDGE