

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-15844 of 2016
Date of Decision: 09.09.2016

Deepak and others

.....Petitioners

Vs.

Lata and another

.....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr.Madhu Rajan, Advocate for the petitioners.

Ms.Mahima Yashpal, AAG, Haryana.

Mr.Virender Soni, Advocate, for respondent No.1.

RITU BAHRI, J. (ORAL)

The instant petition has been filed under Section 482 of the Code of Criminal Procedure for quashing of FIR No.180 dated 04.07.2013, for the offence under Sections 406, 498-A, 506, 34 IPC registered at Police Station Rajendra Park, Gurgaon, along with all consequential proceedings arising therefrom, on the basis of compromise dated 28.01.2016 (Annexure P-2).

The FIR was registered on the basis of statement made by Lata to the effect that her marriage was performed with the accused namely Deepak son of Prem Singh resident of House No.38/9 Devi Lal Nagar, Gurgaon. 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/respondent No.1 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. For the peaceful life, complainant was told that she along with her husband will remain in another house on rent but on 02.06.2013 an attempt was made to kill the complainant/respondent No.1 in the rented accommodation. Complainant/respondent No.1 was succeeded to escape from the spot and met her brother-in-law and requested him that her husband will kill her but instead of saving her, brother-in-law of complainant further made a telephone call to her husband and told him to come at his house. The complainant's husband after beating the complainant took her again to the rented accommodation. The complainant informed her parents regarding the matter. On this background, the FIR was registered.

During the pendency of the trial, the matter has been resolved between the petitioners and respondent No.1-Lata, vide compromise deed dated 28.01.2016 (Annexure P-2).

In compliance with the order dated 09.05.2016 passed by this Court, the parties got recorded their statements before the trial Court. Report from the JMIC, Gurgaon, has been received in this regard. As per report, Lata-complainant and Deepak-petitioner No.1 appeared before the trial Court on 23.05.2016 for getting their statements recorded in support of the compromise. In this regard statements of complainant-Lata and accused-petitioner No.1 were recorded to the effect that they have compromised the matter and Lata-complainant has no objection if the present FIR is quashed against these accused/petitioners. Statement of accused-petitioner No.1 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.

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.180 dated 04.07.2013, for the offence under Sections 406, 498-A, 506, 34 IPC registered at Police Station Rajendra Park, Gurgaon, is quashed along with all consequential proceedings arising therefrom qua the petitioners.

The petition stands disposed of accordingly.

(RITU BAHRI)
JUDGE

09.09.2016

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