

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

248

CRM-M-16943 of 2016

Date of Decision:05.09.2016

Gurmit Kaur and another

.....Petitioners

Versus

State of Punjab & another

.....Respondents

CORAM: HON'BLE MS.JUSTICE RITU BAHRI.

Present: Mr.Hitesh Kaplish, Advocate,
for the petitioners.

Mr.AP.S.Gill, AAG, Punjab,
for the respondent-State.

Mr.Y.M.Bhagirath, 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.100 dated 24.12.2011, for the offence under Sections 498-A and 406 IPC, registered at Police Station Sadar, Phagwara, along with all consequential proceedings arising therefrom and order dated 11.06.2012 (Annexure P-2) vide which petitioner No.2 was declared proclaimed offender, on the basis of compromise dated 14.03.2016 (Annexure P-1).

The FIR was registered on the basis of statement made by Sarabjit Kaur to the effect that her marriage was solemnized with Jasdeep Singh son of Kuldeep Singh, petitioner No.2. according to Sikh Rites and

Ceremonies. It was alleged by the complainant that since the beginning of

the marriage, the behaviour of the petitioners was not good towards her. They were not satisfied with the dowry articles brought by her at the time of marriage. Besides, they used to ill-treat and taunt her for bringing inadequate dowry. They were maltreating and torturing the complainant with a view to compel her to bring more dowry from her parents as they were not satisfied with the same. The in-laws of the complainant had made demand time and again and they threw her out of house. On this background, the FIR was registered.

During the pendency of the trial, the matter has been resolved between the petitioners and complainant-respondent No.2, vide compromise dated 14.03.2016 (Annexure P-1).

In compliance with the order dated 10.08.2016 passed by this Court, the parties got recorded their statements before the trial Court. Report from the JMIC, Phagwara, has been received in this regard. As per report, respondent No.2-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-Sarabjit Kaur and accused-petitioners were recorded to the effect that they have compromised the matter voluntarily with the intervention of their respective relatives without any kind of pressure or duress. The marriage between the parties has already been dissolved by a decree of divorce. Now, they have no grudge against each other. The complainant does not want to pursue the matter further. She has no objection if the present FIR is quashed against the 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.

Accordingly, FIR No.100 dated 24.12.2011, for the offence under Sections 498-A and 406 IPC, registered at Police Station Sadar, Phagwara, along with all consequential proceedings arising therefrom qua the petitioners and order dated 11.06.2012 (Annexure P-2) vide which petitioner No.2 was declared proclaimed offender, are hereby quashed.

The petition stands disposed of accordingly.

September 05, 2016
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(RITU BAHRI)
JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No