

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-17315-2016

Date of Decision:- 01.09.2016

Sudhir Gupta and another

....Petitioners

Versus

State of Haryana and another

....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

**Present: Mr. Pradeep Virk, Advocate
for the petitioners.**

Ms. Mahima Yashpal, AAG, Haryana.

**Mr. Sanjay Verma, Advocate
for respondent No.2.**

RITU BAHRI, J. (Oral)

Present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.502 dated 20.06.2014, under Sections 406, 498-A, 376, 377, 323, 506 and 120-B IPC, registered at Police Station Civil Lines, Gurgaon, on the basis of compromise/MOU dated 26.04.2016 (Annexure P-2).

Brief facts of the case are that the marriage of complainant was solemnized with petitioner No.1 Sudhir Gupta on 01.06.2012, according to the Hindu Rites and Ceremonies. The parents of the complainant had spent huge amount on the marriage. After few days of marriage, the behavior of the accused became changed and they started beating to the complainant on account of demand of dowry. Due to incompatibility of temperament, both the parties could not live together as husband and wife. The relationship between them became strained and thereafter, the F.I.R was registered against the petitioners.

Learned counsel for the petitioners submits that keeping in view the peace and harmony of the village and area, the matter has now been amicably settled between the parties, vide compromise/MOU dated 26.04.2016 (Annexure P-2).

During the course of preliminary hearing, the trial Court, was directed to record the statements of all the concerned parties, with regard to the genuineness and validity or otherwise of the compromise/MOU dated 26.04.2016 (Annexure P-2), by way of order dated 08.07.2016, by this Court.

In compliance of order dated 08.07.2016 of this Court, the report of Judicial Magistrate, 1st Class, Gurgaon dated 30.08.2016 has been received. As per the report, the statements of all the concerned parties have been recorded and the complainant has no objection, if the present FIR registered against the petitioners is quashed. Statements of the petitioners and complainant have been recorded to the same effect.

Consequently, in view of the above-said report and in view of the judgments of the Hon'ble Supreme Court in **Dr. Arvind Barsaul etc. Vs. State of Madhya Pradesh and another, 2008(2) RCR (Criminal) 910; 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**, no useful purpose would be served in prolonging the litigation.

Accordingly, FIR No.502 dated 20.06.2014, under Sections 406, 498-A, 376, 377, 323, 506 and 120-B IPC, registered at Police Station Civil Lines, Gurgaon and all the subsequent proceedings arising therefrom are hereby quashed on the basis of compromise/MOU dated 26.04.2016 (Annexure P-2).

The present petition stands disposed of.

September 01, 2016
naresh.k

(**RITU BAHRI**)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No