

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**CRM-M-18878-2016
Date of decision: 31.08.2016**

Rattan Singh and others

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Ritesh Pandey, Advocate,
for the petitioners.

Mr. J.S. Riar, AAG, Punjab.

Ritu Bahri, J.

Quashing of Criminal Complaint No.06 dated 19.02.2009, titled as Gurpreet Kaur Vs. Davinder Singh etc., under Sections 406/498-A/494/506/120-B IPC (Annexure P-1), summoning order and subsequent proceedings including the judgment of conviction dated 04.06.2014 passed by the Sub Divisional Judicial Magistrate, Ajnala, is sought on the basis of compromise dated 14.03.2016 (Annexure P-3).

Complaint dated 19.02.2009 (Annexure P-1) was filed by Gurpreet Kaur-respondent No.2 alleging that her marriage was solemnized with Davinder Singh-petitioner No.2 on 21.03.2003 as per Sikh rites at Sukh Harpreet Palace, Ajnala. After about 5-6 months of marriage, in-laws of the complainant i.e. petitioners started harassing and humiliating her on the pretext of bringing insufficient dowry. They also used to give beatings

to the complainant. In this background, the complaint was filed.

Husband of the complainant namely Davinder Singh-respondent No.2 had gone abroad and thereafter, he did not appear before the trial Court, therefore, he was declared as proclaimed offender. Remaining accused-petitioners faced the trial and ultimately, they were convicted and sentenced under Sections 406/498-A/494/506/120-B IPC vide judgment dated 04.06.2014 passed by the Sub Divisional Judicial Magistrate, Ajnala, District Amritsar. Appeal (Annexure P-2) against the said judgment is pending before the Additional Sessions Judge, Amritsar.

During the pendency of appeal, the matter has now been resolved between petitioner No.2-Davinder Singh and respondent No.2-Gurpreet Kaur, vide compromise deed dated 14.03.2016 (Annexure P-3).

In compliance with the order dated 15.07.2016 passed by this Court, the parties got recorded their statements before the trial Court. Report from the Sub Divisional Judicial Magistrate, Ajnala, has been received in this regard. As per report, Gurpreet Kaur-complainant (respondent No.2) made her statement on 16.08.2016 to the effect that she has compromised the matter with the accused-petitioners out of her own free will and without any pressure, threat or coercion. She has no objection if the above said complaint is quashed. Statements of Rattan Singh, Manpreet Kaur, Pawan @ Pawandeep Kaur, Harjeet Singh, Makhan Singh, Jagtar Singh, Chanan Singh, Gurinder Kaur-petitioners was also recorded to the same effect. Davinder Singh-petitioner No.2 is residing abroad, therefore, his father Rattan Singh made statement before the trial Court on his behalf by accepting the terms of compromise. 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 Ors. 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, Criminal Complaint No.06 dated 19.02.2009, titled as 'Gurpreet Kaur Vs. Davinder Singh etc.', under Sections 406/498-A/494/506/120-B IPC and judgment of conviction dated 04.06.2014 passed by the Sub Divisional Judicial Magistrate, Ajnala are quashed with all consequential proceedings arising therefrom qua the petitioners.

The petition stands disposed of accordingly.

31.08.2016
ajp

(RITU BAHRI)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No