

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

**CRM No. M-18417 of 2015 (O&M)
Date of decision: 15.11.2016**

Sandeep Tuli

...Petitioner

Versus

State of U.T. Chandigarh and another

...Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Ms. Seema Pasricha, Advocate,
for the petitioner.

Mr. J.S. Toor, Addl. P.P.,
for U.T., Chandigarh.

Ms. Deipa Asdhir Dubey, Advocate,
for respondent No.2.

Ritu Bahri, J.

Quashing of FIR No. 131 dated 10.05.2011, under Sections 406/498-A IPC, registered at Police Station, Sector 11, Chandigarh (Annexure P-1) and order dated 25.04.2012 (Annexure P-2) passed by the Judicial Magistrate Ist Class, Chandigarh, declaring the petitioner as proclaimed offender, is sought on the basis of compromise dated 05.02.2015 (Annexure P-3) effected between the parties.

The F.I.R was registered on the basis of complaint made by Rajni Sharma-respondent No.2 to the effect that her marriage was solemnized with Sandeep Tuli-petitioner on 17.04.2008 as per Hindu rites and rituals at Chandigarh. Soon after the marriage, her in-laws started harassing and humiliating the complainant on the pretext of bringing insufficient dowry. She was also given beatings by them. In this

background, the FIR was registered.

After registration of the FIR, challan was presented. However, the petitioner could not appear before the Court and ultimately, he was declared proclaimed offender vide order dated 25.04.2012 (Annexure P-2).

Now, with the intervention of respectable persons, the matter has been compromised between the parties vide compromise deed dated 05.02.2015 (Annexure P-3).

In compliance with the order dated 09.09.2016 passed by this Court, parties have got recorded their statements before the trial Court. In this regard, a status report has been received from the Judicial Magistrate Ist Class, Chandigarh. As per report, Rajni Sharma-complainant (respondent No.2) made her statement on 05.11.2016 to the effect that with the intervention of respectable persons, she has compromised the matter with accused-petitioner at her own free will and without any pressure or coercion. She has no objection, if the aforesaid FIR is quashed. Separate statement of Sandeep Tuli-petitioner was also recorded to the same effect. In view of separate statements given by the parties, this 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, FIR No. 131 dated 10.05.2011, under Sections 406/498-A IPC, registered at Police Station, Sector 11, Chandigarh (Annexure P-1) and order dated 25.04.2012 (Annexure P-2) passed by the

Judicial Magistrate Ist Class, Chandigarh, declaring the petitioner as proclaimed offender, are quashed with all consequential proceedings arising therefrom qua the petitioner.

The petition stands disposed of accordingly.

15.11.2016
ajp

(RITU BAHRI)
JUDGE

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