

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-20660 of 2016
Date of Decision: 26.07.2016

Nitin Kumar alias Nitin MohanPetitioner

Vs.

State of Punjab and anotherRespondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr.Joginder Pal Ratra, Advocate, for the petitioner.

Mr.A.P.S.Gill, AAG Punjab.

Mr.J.P.S.Sarao, 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.13 dated 22.04.2013, for the offence under Sections 406, 498-A IPC registered at Police Station “Women” Amritsar City (Punjab) (Annexure P-1) along with all consequential proceedings arising therefrom, on the basis of compromise dated 19.11.2015 (Annexure P-2).

The FIR was registered on the basis of statement made by Jyoti-complainant/respondent No.2 to the effect that her marriage was solemnized on 11.05.2011 with Nitin-petitioner. 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.2 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. The parents of the complainant came to her in-laws house saved her from their clutches and brought with her to the parental house. On this background, the FIR was registered.

During the pendency of the trial, the matter has been resolved between the petitioners and respondent No.2-Jyoti, vide compromise deed dated 19.11.2015 (Annexure P-2).

In compliance with the order dated 09.06.2016 passed by this Court, the parties got recorded their statements before the trial Court. Report from the JMIC, Amritsar, has been received in this regard. As per report, Jyoti-complainant and accused-petitioner appeared before the trial Court on 15.07.2016 for getting their statements recorded in support of the compromise. In this regard statements of complainant- Jyoti and accused-petitioner were recorded to the effect that they have compromised the matter and Jyoti-complainant has no objection if the present FIR is quashed against these accused. Statements of accused-petitioner were 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.13 dated 22.04.2013, for the offence

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under Sections 406, 498-A IPC registered at Police Station “Women” Amritsar City (Punjab) (Annexure P-1) is quashed along with all consequential proceedings arising therefrom qua the petitioners.

The petition stands disposed of accordingly.

(RITU BAHRI)
JUDGE

26.07.2016
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