

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

250

CRM-M-22379 of 2016

Date of Decision:05.09.2016

Rohit Gupta and others

.....Petitioners

Versus

State of Punjab & another

.....Respondents

CORAM: HON'BLE MS.JUSTICE RITU BAHRI.

**Present: Mr.Hardeep Singh Dhillon, Advocate,
for Mr.Vikram Singh, Advocate,
for the petitioners.**

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

**Mr.Arvind Kashyap, 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.0099 dated 14.05.2016, for the offence under Sections 406, 498-A IPC (the offences punishable under Sections 313, 506 and 342 IPC were later on added), registered at Police Station Mandi Gobindgarh, District Fatehgarh Sahib, (Annexure P-1) along with all consequential proceedings arising therefrom, on the basis of compromise dated 20.06.2016 (Annexure P-2).

The FIR was registered on the basis of statement made by Preeti Gupta, respondent No.2 to the effect that her marriage was performed with Mr.Rohit Gupta son of Suresh Gupta according to Hindu Rites and

Ceremonies. 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 her at the time of marriage. Besides, they used to ill-treat and taunt her for bringing inadequate dowry. They were maltreating, torturing and beating the complainant with a view to compel her to bring more dowry from her mother. The in-laws of the complainant had made demand time and again. 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 20.06.2016 (Annexure P-2).

In compliance with the order dated 08.07.2016 passed by this Court, the parties got recorded their statements before the trial Court. Report from the SDJM, Amloh, 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-Preeti Gupta and accused-petitioners were recorded to the effect that they have compromised the matter with the intervention of respectables without any kind of coercion or pressure. They have decided to dissolve their marriage by way of mutual consent and will file a divorce petition under Section 13-B of the Hindu Marriage Act, 1955. 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.0099 dated 14.05.2016, for the offence under Sections 406, 498-A IPC (the offences punishable under Sections 313, 506 and 342 IPC were later on added), registered at Police Station Mandi Gobindgarh, District Fatehgarh Sahib, (Annexure P-1) along with all consequential proceedings arising therefrom, is 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