

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-22685 of 2016

Date of Decision:29.08.2016

Niraj Mahajan & others

.....Petitioners

Versus

State of Punjab & another

.....Respondents

CORAM: HON'BLE MS.JUSTICE RITU BAHRI.

Present: Mr.Dhawaljeet Dutta, Advocate,
for the petitioners.

Mr.J.S.Riar, AAG, Punjab,
for the respondent-State.

Mr.Rajeev Kumar Sharma, 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.139 dated 09.12.2015, for the offence under Sections 498-A and 34 IPC, registered at Police Station City Gurdaspur, (Annexure P-1) along with all consequential proceedings arising therefrom, on the basis of compromise/joint statement (Annexure P-2) made by the parties in the petition under Section 13-B of the Hindu Marriage Act (for short "H.M.Act").

The FIR was registered on the basis of statement made by Preeti to the effect that her marriage was solemnized with Niraj Mahajan son of Brij Mohan. It was alleged by the complainant that since the

beginning of the marriage, the behaviour of the petitioners 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 parents as they were not satisfied with the same. The in-laws of the complainant had made demand time and again and they threw her out of house. On this background, the FIR was registered.

During the pendency of the trial, the matter has been resolved between petitioner No.1 and complainant-respondent No.2, vide compromise/joint statement (Annexure P-2) made by the parties in the petition under Section 13-B of the H.M.Act.

In compliance with the order dated 11.07.2016 passed by this Court, the parties got recorded their statements before the trial Court. Report from the CJM, Gurdaspur, 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 and accused-petitioners were recorded to the effect that they have compromised the matter with the intervention of respectables voluntarily without any kind of coercion or undue influence. 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.139 dated 09.12.2015, for the offence under Sections 498-A and 34 IPC, registered at Police Station City Gurdaspur, (Annexure P-1) along with all consequential proceedings arising therefrom, qua the petitioners is quashed.

The petition stands disposed of accordingly.

August 29, 2016
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(**RITU BAHRI**)
JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No