

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-22985 of 2016
Date of Decision: 27.09.2016

Neel Kamal Sharma

.....Petitioner

Vs.

State of Punjab and another

.....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr.H.S.Randhawa, Advocate for the petitioner.

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

RITU BAHRI, J. (ORAL)

The instant petition has been filed under Section 482 of the Code of Criminal Procedure for quashing of FIR No.07 dated 05.01.2014, for the offence under Sections 498-A IPC (as the offences under Sections 406, 354 and 377 of IPC registered at Police Station Rama Mandi, District Jalandhar (earlier forming part of FIR already stand deleted during the course of investigation) with all consequential proceedings arising therefrom, on the basis of compromise deed/divorce petition dated 12.04.2016 (Annexure P-2).

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 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 dowry articles of the complainant were misappropriated by her in-laws. On this background, the FIR was registered.

During the pendency of the trial, the matter has been resolved between the petitioner and respondent No.2-Bhawna @ Ashwarya, vide compromise deed dated 12.04.2016 (Annexure P-2).

In compliance with the order dated 12.07.2016 passed by this Court, the parties got recorded their statements before the trial Court. Report from the JMIC, Jalandhar, has been received in this regard. As per report, Bhawna @ Ashwarya-complainant and accused-petitioner appeared before the trial Court on 19.09.2016 for getting their statements recorded in support of the compromise. In this regard statements of complainant-Bhawna @ Ashwarya and accused-petitioner were recorded to the effect that they have compromised the matter and Bhawna @ Ashwarya-complainant has no objection if the present FIR is quashed against the accused/petitioner. Statements of accused-petitioner was 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.07 dated 05.01.2014, for the offence

Jalandhar (as the offences under Sections 406, 354 and 377 of IPC earlier forming part of FIR already stand deleted during the course of investigation) is quashed along with all consequential proceedings arising therefrom qua the petitioner.

The petition stands disposed of accordingly.

(RITU BAHRI)
JUDGE

27.09.2016
anil

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