

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

252

CRM-M-23298 of 2016

Date of Decision:05.09.2016

Akbar Khan and others

.....Petitioners

Versus

State of Punjab & another

.....Respondents

CORAM: HON'BLE MS.JUSTICE RITU BAHRI.

Present: Mr.Harvinder Singh Mann, Advocate,
for the petitioners.

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

Mr.Sukhdeep Singh Aulakh, Advocate,
for Ms.Manjot Kaur Lang, 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.23 dated 10.04.2015, for the offence under Sections 498-A and 406 IPC, registered at Police Station Bhikhi, District Mansa, (Annexure P-1) along with all consequential proceedings arising therefrom, on the basis of compromise dated 06.08.2015 (Annexure P-2).

The FIR was registered on the basis of statement made by Razia Begum, respondent No.2 to the effect that her marriage was performed with Akbar Khan son of Lal Khan according to Muslim 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 not good 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. Even, petitioner No.1 has solemnized second marriage without the consent of respondent No.2 due to which her life has become miserable. 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 06.08.2015 (Annexure P-2).

In compliance with the order dated 14.07.2016 passed by this Court, the parties got recorded their statements before the trial Court. Report from the JMIC, Mansa, 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-Razia Begum and accused-petitioners were recorded to the effect that they have compromised the matter with their free will and without any kind of coercion or undue influence. Both the parties have decided to dissolve their marriage by way of mutual consent. 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.23 dated 10.04.2015, for the offence under Sections 498-A and 406 IPC, registered at Police Station Bhikhi, District Mansa, (Annexure P-1) along with all consequential proceedings arising therefrom, is hereby quashed.

The petition stands disposed of accordingly.

September 05, 2016
seema

(RITU BAHRI)
JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No