

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM No. M-24138 of 2016

Date of decision: 20.09.2016

Nikhil Kumar

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Bhupinder Singh, Advocate,
for the petitioner.

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

Ritu Bahri, J.

Quashing of FIR No. 15 dated 29.01.2016, under Sections 420/494 IPC, registered at Police Station, Division No.5, Jalandhar (Annexure P-1) is sought on the basis of compromise dated 10.05.2016 (Annexure P-2).

The F.I.R was registered on the basis of complaint made by Veena-respondent No.2 to the effect that she had performed love marriage with Nikhil Kumar-petitioner. Out of this wedlock, no issue was born. After about six months of the marriage, he started harassing the complainant. She was also given beatings by him. About 8/10 days back from registration of the FIR, the complainant had come to know that her husband had performed second marriage. When she asked him in this regard, he gave her beating and fled away from home by taking Rs.7,50,000/- along with gold jewelry belonging to the complainant. In this background, the FIR was registered.

During the pendency of investigation, the matter has been

compromised between the parties vide compromise dated 10.05.2016 (Annexure P-2).

In compliance with the order dated 19.07.2016 passed by this Court, the parties got recorded their statements before the Illaqa Magistrate. Report from the Judicial Magistrate Ist Class, Jalandhar, has been received in this regard. As per report, Veena-respondent No.2 (complainant) made her statement on 05.09.2016 to the effect that she has compromised the matter with accused-petitioner (Nikhil Kumar) at her own will and without any coercion or pressure. She has no objection if, the above said FIR is quashed. Statement of Nikhil Kumar-petitioner was also recorded to the same effect. In view of separate statements given by 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 Ors. vs. State of Punjab and another 2007(3) RCR (CrI.) 1052**, this Court is of the view that no useful purpose would be served in prolonging the litigation.

Accordingly, FIR No. 15 dated 29.01.2016, under Sections 420/494 IPC, registered at Police Station, Division No.5, Jalandhar, is quashed with all consequential proceedings arising therefrom qua the petitioner.

The petition stands disposed of accordingly.

20.09.2016
ajp

(RITU BAHRI)
JUDGE