

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-25797 of 2015
Date of Decision: 09.09.2016

Gaurav Kumar and others

.....Petitioners

Vs.

State of Punjab and another

.....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr.S.C.Arora, Advocate, for the petitioners.

Ms.Manpreet Dhaliwal, AAG, Punjab.

Mr.A.K.Sama, 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.76 dated 25.07.2014, for the offence under Sections 406, 498-A, 313 IPC registered at Police Station Fazilka, District Fazilka along with all consequential proceedings arising therefrom, on the basis of compromise dated 04.07.2015 (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. Out of this wedlock

one child was born. In June, 2013, in-laws of the complainant shunted her out of her matrimonial house without handing over to her cash and other articles which she had brought in dowry. Several time respectables of the city approached the accused for the rehabilitation of the complainant but her in-laws were adamant unless they are paid Rs.10 Lacs they won't accept her and her son back and refused to return the *stridhan* of the complainant. On this background, the FIR was registered.

During the pendency of the trial, the matter has been resolved between the petitioners and respondent No.2-Alish, vide compromise deed dated 04.07.2015 (Annexure P-2).

In compliance with the order dated 20.11.2015 passed by this Court, the parties got recorded their statements before the trial Court. Report from the CJM, Fazilka, has been received in this regard. As per report, Alish-complainant and petitioners appeared before the trial Court on 21.12.2015 for getting their statements recorded in support of the compromise. In this regard statements of complainant/respondent No.2-Alish and petitioners were recorded to the effect that they have compromised the matter and Alish-complainant has no objection if the present FIR is quashed against these accused/petitioners. Joint statement of accused-petitioners 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

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.76 dated 25.07.2014, for the offence under Sections 406, 498-A, 313 IPC registered at Police Station Fazilka, District Fazilka, is quashed along with all consequential proceedings arising therefrom qua the petitioners.

The petition stands disposed of accordingly.

(RITU BAHRI)
JUDGE

09.09.2016
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