

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

**CRM No. M-27167 of 2016
Date of decision: 18.10.2016**

Neeraj Kumar and another

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Amandeep Singh, Advocate,
for the petitioners.

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

Mr. S.S. Goraya, Advocate,
for respondent No.2.

Ritu Bahri, J.

Quashing of FIR No. 162 dated 02.05.2015, under Section 316/34 IPC, registered at Police Station, Jodhewal, Ludhiana (Annexure P-1) is sought on the basis of compromise dated 02.01.2016 (Annexure P-2).

The F.I.R was registered on the basis of statement made by Pooja-respondent No.2 (complainant) to the effect that her marriage was solemnized with Neeraj-petitioner No.1) about 01 year and 03 months back. After marriage, her husband used to quarrel with her. On 19.04.2015, at about 01.00 P.M., he caused injury in her stomach by giving pushes. The complainant narrated the incident to her mother-Asha on telephone, upon which, her mother came to her matrimonial home and took her to Chawla Hospital for treatment. In the meantime, her husband-Neeraj Kumar and mother-in-law Kanchan (petitioner No.2) came there and scuffled with her mother. Her husband and mother-in-law caught hold of her hair and gave

pushes, due to which, the complainant fell down. Upon this, her stomach started aching . She was pregnant for the last 2 months. In this background, the FIR was registered.

During the pendency of the trial, with the intervention of respectable persons, the matter has now been amicably resolved between respondent No.2-complainant and the petitioners vide compromise deed dated 02.01.2016 (Annexure P-2).

In compliance with the order dated 08.08.2016 passed by this Court, the parties got recorded their statements before the trial Court. Report from the Judicial Magistrate Ist Class, Ludhiana, has been received in this regard. As per report, Pooja-respondent No.2 (complainant) made her statement on 22.08.2016 to the effect that with the intervention of respectable persons, she has compromised the matter with Neeraj Kumar and Kanchan-petitioners voluntarily, without any pressure or coercion. Now, she is residing happily with her husband-Neeraj Kumar in the matrimonial house. She has no objection if, the above said FIR is quashed. Joint statement of Neeraj Kumar and Kanchan-petitioners was also recorded to the same effect. In view of 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 (CrL.) 1052**, this Court is of the view that no useful purpose would be served in prolonging the litigation.

Accordingly, FIR No. 162 dated 02.05.2015, under Section

316/34 IPC, registered at Police Station, Jodhewal, Ludhiana, is quashed with all consequential proceedings arising therefrom qua the petitioners.

The petition stands disposed of accordingly.

18.10.2016
ajp

(RITU BAHRI)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable : Yes/No