

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

**CRM No. M-28861 of 2016
Date of decision: 24.10.2016**

Baljit Singh and others

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. J.S. Warring, Advocate,
for the petitioners.

Ms. Mandeep Dhaliwal, AAG, Punjab.

Mr. Samjot Singh, Advocate,
for respondent No.2.

Ritu Bahri, J.

Quashing of Complaint No. RT 37 dated
21.09.2010/04.06.2012, under Sections 498-A/406 IPC (Annexure P-1) and
summoning order dated 13.08.2012 (Annexure P-2) passed by the Court of
Judicial Magistrate, Ist Class, Moga, is sought on the basis of compromise
dated 18.07.2016 (Annexure P-3).

The aforesaid complaint was filed by Sunita Rani-respondent
No.2 with the allegations that her marriage was solemnized with Baljit
Singh-petitioner No.1 on 22.02.2004 at Village Kokri Kalan, Tehsil and
District Moga. Soon after the marriage, in-laws of the complainant
(petitioners) started harassing and humiliating her on the pretext of bringing
insufficient dowry. She was also given beatings by them. Ultimately, she

was thrown out of the matrimonial house. In this background, the complaint was filed.

On conclusion of the preliminary evidence led by the complainant, vide order dated 13.08.2012 (Annexure P-2) passed by the trial Court, accused-petitioners were ordered to be summoned to face trial

Now, with the intervention of respectable persons, the matter has now been amicably resolved between the parties vide compromise deed dated 18.07.2016 (Annexure P-3). As per compromise, it has been decided that the petitioners will give a sum of Rs.7,00,000/- towards past, present and future maintenance of respondent No.2 and her daughters. Petitioner No.1 and respondent No.1 would file a petition under Section 13-B of the Hindu Marriage Act.

In compliance with the order dated 23.08.2016 passed by this Court, parties have got recorded their statements before the trial Court/Illaq Magistrate. Report from the Judicial Magistrate, Ist Class, Moga, has been received in this regard. As per report, Sunita Rani-respondent No.2 (complainant) made her statement on 13.10.2016 to the effect that with the intervention of respectable persons, she has compromised the matter with accused-petitioners out of her own free will and without any coercion or pressure. She has no objection if, the aforesaid complaint is quashed. Separate statements of Baljit Singh, Swaranjit Kaur and Kewal Krishan-petitioners were 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, Complaint No. RT 37 dated 21.09.2010/04.06.2012, under Sections 498-A/406 IPC (Annexure P-1) and summoning order dated 13.08.2012 (Annexure P-2) passed by the Court of Judicial Magistrate, Ist Class, Moga, are quashed with all consequential proceedings arising therefrom qua the petitioners.

The petition stands disposed of accordingly.

24.10.2016
ajp

(RITU BAHRI)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable : Yes/No