

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

**CRM No. M-29379 of 2016
Date of decision: 04.11.2016**

Swaran Singh and others

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. N.S. Dandiwal, Advocate,
for the petitioners.

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

Mr. I.S. Dhaliwal, Advocate,
for respondent No.2-complainant.

Ritu Bahri, J.

Quashing of FIR No. 38 dated 29.04.2016, under Sections 495, 498-A, 406 IPC, registered at Police Station, Smalsar, District Moga (Annexure P-1) is sought on the basis of compromise dated 08.07.2016 (Annexure P-3).

The F.I.R was registered on the basis of complaint made by Manpreet Kaur-respondent No.2 to the effect that her marriage was solemnized with Kamaljit Singh-petitioner No.3 on 24.01.2014. Soon after the marriage, her in-laws (petitioners) started harassing and humiliating the complainant on the pretext of bringing insufficient dowry. She was also given beatings by them. Later on, she came to know that her husband was

already married and this fact was not disclosed to her earlier. In this

background, the FIR was registered.

During the pendency of trial, with the intervention of respectable persons, the matter has been compromised between the parties vide compromise deed dated 08.07.2016 (Annexure P-3). As per compromise, the matter has been settled for a sum of Rs.8 lacs, out of which, Rs.4 lacs have already been paid to respondent No.2 and the remaining amount of Rs.4 lacs will be paid at the time of recording of second statement in a petition under Section 13-B of the Hindu Marriage Act.

In compliance with the order dated 24.08.2016 passed by this Court, parties got recorded their statements before the trial Court. Report from the Sub Divisional Judicial Magistrate, Baghapurana, has been received in this regard. As per report, Manpreet Kaur-respondent No.2 (complainant) made her statement on 06.10.2016 to the effect that with the intervention of respectable persons, she has compromised the matter with accused-petitioners at her own free will and without any coercion or pressure. She has no objection if, the above said FIR is quashed. Joint statement of Swaran Singh, Sukhwinder Kaur and Kamaljit Singh-petitioners 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 (Crl.) 1052**, this Court is of the view

that no useful purpose would be served in prolonging the litigation.

Accordingly, FIR No. 38 dated 29.04.2016, under Sections 495, 498-A, 406 IPC, registered at Police Station, Smalsar, District Moga, is quashed with all consequential proceedings arising therefrom qua the petitioners.

The petition stands disposed of accordingly.

04.11.2016
ajp

(RITU BAHRI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No