

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-29759 of 2016
Date of Decision: 26.10.2016

Gurvinder Pal Singh @ Gorkha @ Khusi Mohammad and Others
.....Petitioners

Vs.

State of Haryana and another
.....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr.P.S.Jammu, Advocate, for the petitioners.

Ms.Mahima Yashpal, AAG, Haryana.

RITU BAHRI, J. (ORAL)

The instant petition has been filed under Section 482 of the Code of Criminal Procedure for quashing of FIR No.583 dated 01.12.2015, for the offence under Sections 342, 420, 494, 498A, 506, 34 IPC registered at Police Station City Tohana, District Fatehabad along with all consequential proceedings arising therefrom, on the basis of compromise dated (Annexure P-3).

Reply has been filed by learned State counsel on behalf of respondent No.1. The same is taken on record.

The FIR was registered on the basis of statement made by Sukhwinder Kaur-complainant/respondent No.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. Two children were born out of this wedlock. The in-laws of the complainant were not happy with this marriage and they used to bearing and harass her. Even on

28.10.2015, the husband of the complainant has performed his second marriage (Nikah) and brought Sukhwinder Kaur Salma Khatoon. After objecting the same by the complainant, she was confined in a room and also snatched her phone. Thereafter, she was rescued by her relatives. The petitioners threatened the complainants party that they would kill them if the matter is reported to the police. 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-Sukhwinder Kaur, vide compromise deed (Annexure P-3).

In compliance with the order dated 27.08.2016 passed by this Court, the parties got recorded their statements before the trial Court. Report from the SDJM, Tohana, has been received in this regard. As per report, Sukhwinder Kaur-complainant and accused-petitioners appeared before the trial Court on 08.09.2016 for getting their statements recorded in support of the compromise. In this regard statements of complainant-Sukhwinder Kaur and accused-petitioners were recorded to the effect that they have compromised the matter and Sukhwinder Kaur-complainant has no objection if the present FIR is quashed against these accused. Statements of accused-petitioners were 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 Bench of this Court in the case of Kulwinder Singh and others Vs. State of

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

Accordingly, FIR No.583 dated 01.12.2015, for the offence under Sections 342, 420, 494, 498A, 506, 34 IPC registered at Police Station City Tohana, District Fatehabad is quashed along with all consequential proceedings arising therefrom qua the petitioners.

The petition stands disposed of accordingly.

(RITU BAHRI)

JUDGE

26.10.2016

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<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>