

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-29101 of 2015
Date of Decision: 02.08.2016

Bhavin Trivedi and Others

.....Petitioners

Vs.

State of Haryana and another

.....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr.Vaibhav Jain, Advocate, for the petitioners.

Mr.Anmol Malik, DAG Haryana.

Mr.Vishal R. Lamba, Advocate, for the complainant.

RITU BAHRI, J. (ORAL)

The instant petition has been filed under Section 482 of the Code of Criminal Procedure for quashing of FIR No.219 dated 23.05.2015, for the offence under Sections 323, 406, 498-A and 506 IPC registered at Police Station Sector 31, Faridabad along with all consequential proceedings arising therefrom, on the basis of joint statement dated 09.07.2015 in petition under Section 13-B of Hindu Marriage Act for a decree of divorce (Annexure P-2).

The FIR was registered on the basis of statement made by Kirti Talwar/respondent No.2/complainant. 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 them 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. Even the complainant had thrown away from her matrimonial house. 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-Kirti Talwar, vide their joint statement dated 09.07.2015 in petition under Section 13-B of Hindu Marriage Act for a decree of divorce before the Learned District Judge Family Court, Faridabad (Annexure P-2).

In compliance with the order dated 31.08.2015 passed by this Court, the parties got recorded their statements before the trial Court. Report from the CJM, Faridabad, has been received in this regard. As per report, Kirti Talwar-complainant and accused-petitioners appeared before the trial Court on 21.09.2015 for getting their statements recorded in support of the compromise. In this regard statements of complainant- Kirti Talwar and accused-petitioners were recorded to the effect that they have compromised the matter and Kirti Talwar-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 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.219 dated 23.05.2015, for the offence under Sections 323, 406, 498-A and 506 IPC registered at Police Station Sector 31, Faridabad is quashed along with all consequential proceedings arising therefrom qua the petitioners.

The petition stands disposed of accordingly.

(RITU BAHRI)
JUDGE

02.08.2016

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Whether speaking/reasoned : *Yes/No.*

Whether reportable *Yes/No.*