

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-29396 of 2015
Date of Decision: 11.08.2016

Gurmit Kaur and anotherPetitioners

Vs.

State of Punjab and anotherRespondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr.Manbir Singh Batth, Advocate, for the petitioners.

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

Mr.Mitish Garg, Advocate, for respondent No.2.

RITU BAHRI, J. (ORAL)

The instant petition has been filed under Section 482 of the Code of Criminal Procedure for quashing of FIR No.15 dated 01.08.2014, for the offence under Sections 406, 498-A IPC registered at Police Station NRI PS, S.B.S.Nagar, along with all consequential proceedings arising therefrom, on the basis of compromise dated 12.06.2015 (Annexure P-2).

It was alleged by the complainant that she had made complaint against her husband and mother-in-laws but her husband Jagtar Singh-petitioner No.2 got the said complaint compromised from her fraudulently by taking into her confidence that in future no torture will be made to her and he will maintain by taking rental house at Village Chachrari, Tehsil Phillaur, Distt. Jalandhar. But all the Istridhan and gold articles were retained by Gurmit Kaur-petitioner No.1 at Village Dhilwan. Thereafter, Jagtar Singh-petitioner No.2 with active connivance of his mother Gurmit

Dharamshala where both the petitioners had gone to take medicine. It was noticed by the complainant that her husband had left for abroad and misappropriated Istridhan and gold articles against her consent. 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-Amarpreet Kaur, vide compromise deed dated 12.06.2015 (Annexure P-2).

In compliance with the order dated 21.03.2016 passed by this Court, the parties got recorded their statements before the trial Court. Report from the ACJM, S.B.S.Nagar, has been received in this regard. As per report, Amarpreet Kaur-complainant and accused-petitioners appeared before the trial Court on 04.04.2016 for getting their statements recorded in support of the compromise. In this regard statements of complainant-Amarpreet Kaur and accused-petitioners were recorded to the effect that they have compromised the matter and Amarpreet 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 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.

Sections 406, 498-A IPC registered at Police Station NRI PS, S.B.S.Nagar,
is quashed along with all consequential proceedings arising therefrom qua
the petitioners.

The petition stands disposed of accordingly.

(RITU BAHRI)
JUDGE

11.08.2016
anil

Whether speaking/reasoned : *Yes/No.*

Whether reportable *Yes/No.*