

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

**CRM-M-29830 of 2015
Date of Decision: 22.08.2016**

Jaibir Singh and others

.....Petitioners

Vs.

State of Punjab and another

.....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr.Gaurav Saini, Advocate, for the petitioners.

Ms.Ashima Mor, APP, U.T.Chandigarh.

RITU BAHRI, J. (ORAL)

The instant petition has been filed under Section 482 of the Code of Criminal Procedure for quashing of FIR No.294 dated 25.06.2012, for the offence under Sections 406, 498 IPC registered at Police Station Sector-34, Chandigarh, along with all consequential proceedings arising therefrom, on the basis of compromise dated 25.04.2015 (Annexure P-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. They were not satisfied with the dowry articles brought by her 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. On this background, the FIR was registered.

During the pendency of the trial, with the intervention of the

respectables, the matter has been resolved between the petitioners and respondent No.2-Navjyoti, vide compromise deed dated 25.04.2015 (Annexure P-2).

In compliance with the order dated 15.10.2015 passed by this Court, the parties got recorded their statements before the trial Court. Report from the JMIC, Chandigarh, has been received in this regard. As per report, Navjyoti-complainant and accused-petitioners appeared before the trial Court on 23.11.2015 and 29.09.2015 respectively for getting their statements recorded in support of the compromise. In this regard statements of complainant- Navjyoti and accused-petitioners were recorded to the effect that they have compromised the matter and in terms of the same, they have filed a divorce petition under Section 13-B HMA and she has received Rs.5,00,000/- on the date of first motion and Navjyoti-complainant has no objection if the present FIR is quashed against the petitioners. Statements of accused-petitioner 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.

The petitioners have inadvertently impleaded State of Punjab as a party whereas it should have been State of U.T.Chandigarh. Ms.Ashima Mor, APP U.T.Chandigarh, has appeared for State of U.T.Chandigarh.

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.294 dated 25.06.2012, for the offence under Sections 406, 498 IPC registered at Police Station Sector-34, Chandigarh, is quashed along with all consequential proceedings arising therefrom qua the petitioners.

The petition stands disposed of accordingly.

(RITU BAHRI)
JUDGE

22.08.2016
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