

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

**CRM No. M-30812 of 2016
Date of decision: 08.11.2016**

Gulshan Kumar and others

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. D.K. Bhatti, Advocate,
for the petitioners.

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

Mr. Balbir Singh Saini, Advocate,
for respondent No.3.

Ritu Bahri, J.

Quashing of FIR No. 55 dated 02.03.2013, under Sections 323/324/326/452/148/149 IPC, registered at Police Station, Phillaur, Jalandhar (Annexure P-1) is sought on the basis of compromise dated 17.08.2016 (Annexure P-2).

The F.I.R was registered on the basis of statement made by Jasbir Kaur-respondent No.3 to the effect that marriage of her daughter, Parveen Kumari, was solemnized with Gulshan Kumar-petitioner No.1 on 28.11.2010 as per Hindu rites and rituals. Out of this wedlock, one son was born. Soon after the marriage, in-laws of her daughter i.e. petitioners started harassing and humiliating her on the pretext of bringing insufficient dowry. She was also given beatings by them. On 12.01.2013, the complainant had brought her daughter to her house. On 01.03.2013, the complainant was present at her house along with Parveen Kumar and grandson Rahul. In the

meantime, Gulshan Kumar (husband of Parveen Kumari), Bimla Rani, Ritu,

Pandit and 5/7 other unidentified person entered her house and tried to snatch her grandson-Rahul. Thereafter, Gulshan Kumar gave her 3/4 blows with a sharp edged weapon. Other accused persons also gave her beatings. She raised an alarm, which attracted her daughter-Parveen Kumari, who came forward to rescue the complainant. Thereafter, all the assailants ran away from the spot. In this background, the FIR was registered.

During the pendency of trial, the matter has been compromised between the parties vide compromise deed dated 17.08.2016 (Annexure P-2).

In compliance with the order dated 01.09.2016 passed by this Court, the parties got recorded their statements before the trial Court. Report from the Judicial Magistrate Ist Class, Phillaur, has been received in this regard. As per report, Jasbir Kaur-respondent No.3 (complainant) made her statement on 06.09.2016 to the effect that with the intervention of respectable persons, she has compromised the matter with accused-petitioners at her own will and without any coercion or pressure, vide compromise dated 17.08.2016. On that date, her daughter Parveen Kumari had received a sum of Rs.1,00,000/- from the accused-petitioners. She has no objection if, the above said FIR is quashed. Separate statements of Gulshan Kumar, Bimla Rani and Sudarshana @ Neetu, Nathi Lal Sharma @ Pandit-petitioners were 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. 55 dated 02.03.2013, under Sections 323/324/326/452/148/149 IPC, registered at Police Station, Phillaur, Jalandhar, is quashed with all consequential proceedings arising therefrom qua the petitioners.

The petition stands disposed of accordingly.

08.11.2016
ajp

(RITU BAHRI)
JUDGE

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