

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-31862 of 2016
Date of Decision: 22.10.2016

Bishan Kumar

.....Petitioner

Vs.

State of Punjab and another

.....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr.Ranbir Singh Rawat, Advocate, for the petitioner.

Ms.Manpreet Dhaliwal, AAG, Punjab.

RITU BAHRI, J. (ORAL)

The instant petition has been filed under Section 482 of the Code of Criminal Procedure for quashing of FIR No.85 dated 02.11.2012, for the offence under Sections 498A,323, 506, 406 IPC registered at Police Station Division No.1, Pathankot, along with all consequential proceedings arising therefrom, on the basis of compromise dated 20.08.2016 (Annexure P-2).

The FIR was registered on the basis of statement made by Santosh Kumari-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. The husband of the complainant was working at Jalandhar and they stayed together at Jalandhar. The husband of the complainant used to beat her after drinking liquor and told her to get more money and dowry articles from her parents. The in-laws of the complainant were not happy with this marriage and they used to beat and harass her. They threatened to kill the complainant. 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-Santosh Kumari, vide compromise deed dated 20.08.2016 (Annexure P-2).

In compliance with the order dated 09.09.2016 passed by this Court, the parties got recorded their statements before the trial Court. Report from the Addl.CJM, Pathankot has been received in this regard. As per report, Santosh Kumari-complainant and accused-petitioner appeared before the trial Court on 20.09.2016 for getting their statements recorded in support of the compromise. In this regard statements of complainant-Santosh Kumari and accused-petitioner were recorded to the effect that they have compromised the matter and Santosh Kumari-complainant has no objection if the present FIR is quashed against these accused. 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.

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.85 dated 02.11.2012, for the offence under Sections 498A, 323, 506, 406 IPC registered at Police Station Division No.1, Pathankot, is quashed along with all consequential proceedings arising therefrom qua the petitioner.

The petition stands disposed of accordingly.

(RITU BAHRI)
JUDGE

22.10.2016
anil

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