

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

CRM No. M-32379 of 2016

Date of decision: 14.12.2016

Kapil Sharma and others

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Harish Goyal, Advocate,
for the petitioners.

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

Mr. Deepak Kaushal, Advocate,
for respondent No.2.

Ritu Bahri, J.

Quashing of FIR No. 97 dated 10.09.2015, under Sections 323/324/506/34/406/498-A IPC, registered at Police Station, Kotwali Nabha, District Patiala (Annexure P-1) is sought on the basis of compromise dated 30.08.2016 (Annexure P-2).

The F.I.R was registered on the basis of statement made by Dipti Sharma-respondent No.2 to the effect that her marriage was solemnized with Kail Sharma-petitioner No.1. Out of this marriage, two children were born. Soon after the marriage, her in-laws (petitioners) started harassing and humiliating her on the pretext of bringing insufficient dowry. She was also given beatings by them. In this background, the FIR was registered.

During the pendency of the trial, with the intervention of respectable persons, the matter has now been amicably resolved between the parties vide compromise deed dated 30.08.2016 (Annexure P-2).

In compliance with the orders dated 16.09.2016 passed by this Court, parties have got recorded their statements before the trial Court/Illaq Magistrate. Report from the Judicial Magistrate Ist Class, Nabha, has been received in this regard. As per report, Deepti Sharma-respondent No.2 (complainant) made her statement on 29.09.2016 to the effect that with the intervention of respectable persons, she has compromised the matter with accused-petitioners out of her own free will and without any coercion or pressure. She has no objection if, the aforesaid FIR is quashed. She has further stated that at present, she is residing with her husband Kapil Sharma-petitioner No.1 in the matrimonial house. Separat statement of Kapil Sharma-petitioner No.1 was 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. 97 dated 10.09.2015, under Sections 323/324/506/34/406/498-A IPC, registered at Police Station, Kotwali Nabha, District Patiala, is quashed with all consequential proceedings arising therefrom qua the petitioners.

The petition stands disposed of accordingly.

14.12.2016
ajp

(RITU BAHRI)
JUDGE