

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

246

CRM-M-3286 of 2016

Date of Decision:29.08.2016

Hitesh Jain & others

.....Petitioners

Versus

State of Haryana & another

.....Respondents

**CORAM: HON'BLE MS.JUSTICE RITU BAHRI.**

**Present: Mr.Amit Choudhary, Advocate,  
for the petitioners.**

**Mr.D.R.Singla, DAG, Haryana,  
for the respondent-State.**

**None for respondent No.2.**

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**RITU BAHRI, J.(Oral)**

The instant petition has been filed under Section 482 of the Code of Criminal Procedure for quashing of FIR No.205 dated 22.08.2014, for the offence under Sections 406 and 498-A IPC, registered at Police Station Sector 31, Faridabad, (Annexure P-1) along with all consequential proceedings arising therefrom, on the basis of compromise/joint statement dated 06.11.2015 (Annexure P-2).

The FIR was registered on the basis of statement made by Jyoti Jain to the effect that her marriage was performed with Hitesh Jain son of Sh.R.P.Jain, petitioner No.1. It was alleged by the complainant that since the beginning of the marriage, the behaviour of the petitioners and their family members was not good towards her. They were not satisfied with the dowry articles brought by her at the time of marriage. They were

maltreating and torturing her on account of bringing less dowry articles. 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-Jyoti Jain, vide compromise/joint statement dated 06.11.2015 (Annexure P-2).

As per office report, respondent No.2 has been served but no one has put in appearance on her behalf.

Learned counsel for the petitioner has placed on record the certified copy of the joint statement made by both the parties in the petition under Section 13-B of the Hindu Marriage Act, 1955 on 20.08.2016. A perusal of the judgment shows that the marriage between the parties was solemnized on 27.04.2008 according to Hindu Rites and Ceremonies. Out of this wedlock, one child, namely, Akshat @ Abhinandan was born. Due to temperamental differences, they could not live together. Therefore, they decided to dissolve their marriage by mutual consent. As per Annexure P-2 dated 06.11.2015, first joint statement was made by the parties, wherein it has been agreed that a sum of ₹16,50,000/- shall be paid as Istridhan to the complainant as full & final settlement and they will file a petition for quashing of the FIR. After recording the statement on 20.08.2016, all the conditions of the compromise have been complied with. The complainant has no objection if the present FIR registered against the accused is quashed. Learned counsel for the State has also informed that the matter has been compromised between the parties.

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 (CrI.) 1052**, this Court is of the view that no useful purpose would be served in prolonging the litigation.

Accordingly, FIR No.205 dated 22.08.2014, for the offence under Sections 406 and 498-A IPC, registered at Police Station Sector 31, Faridabad, (Annexure P-1) along with all consequential proceedings arising therefrom qua the petitioners is quashed.

The petition stands disposed of accordingly.

August 29, 2016  
seema

( **RITU BAHRI** )  
**JUDGE**

Whether speaking/reasoned: Yes

Whether Reportable: No