

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

**CRM No. M-35346 of 2016
Date of decision: 22.11.2016**

Jassi Ram and another

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Ms. Harmanpreet Kaur, Advocate,
for the petitioners.

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

Ritu Bahri, J.

Quashing of FIR No. 19 dated 25.02.2016, under Sections 406/498-A IPC, registered at Police Station, Women Police, Ludhiana (Annexure P-1) is sought on the basis of compromise/settlement dated 08.09.2016 (Annexure P-3).

The F.I.R was registered on the basis of complaint made by Asha Prabha-respondent No.2 to the effect that her marriage was solemnized with Sanjeev Sharma-petitioner No.2 on 12.12.2012. Out of this wedlock, one daughter namely Divya was born on 20.09.2013. She is presently living with respondent No.2 at Ludhiana. Soon after the marriage, her in-laws i.e. petitioners started harassing and humiliating the complainant on the pretext of bringing insufficient dowry. She was also given beatings by them. In this background, the FIR was registered.

Before registration of the FIR, a petition under Section 9 of the Hindu Marriage Act, 1955 for restitution of conjugal rights was filed by petitioner No.2, which is pending before the Court of Civil Judge (Junior Division), Bathinda. Respondent No.2 also filed TA No.335 of 2016 under Section 24 CPC before this Court. Petitioners have also filed anticipatory bail applications i.e. CRM-M-12237-2016 (Jassi Ram Vs. State of Punjab) and CRM-M-13202-2016 (Sanjeev Kumar Vs. State of Punjab and another). During the pendency of those petitions, the matter was referred to Mediation and Conciliation Centre of this Court for an amicable settlement. Before the Mediation, the matter has been resolved between the parties vide settlement/compromise dated 08.09.2016 (Annexure P-3).

Upon notice, parties are present in Court today. Complainant-respondent No.2 has been identified by ASI Ravinder Kumar. She states that the matter has been compromised between her and the petitioners vide settlement/compromise dated 08.09.2016 (Annexure P-3). The petitioners have agreed to make payment of Rs.3,50,000/- to the complainant as past, present and future maintenance. It has been further agreed that petitioner No.2 and respondent No.2 shall file a joint petition under Section 13-B of the Hindu Marriage Act before the Court of competent jurisdiction at Ludhiana. Respondent No.2 will have no objection to the quashing aforesaid FIR.

Since complainant-respondent No.2 has admitted the factum of settlement/compromise dated 08.09.2016 (Annexure P-3), this court is satisfied that the compromise is valid and genuine one.

Consequently, in view of 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. 19 dated 25.02.2016, under Sections 406/498-A IPC, registered at Police Station, Women Police, Ludhiana, is quashed with all consequential proceedings arising therefrom qua the petitioners.

The petition stands disposed of accordingly.

22.11.2016
ajp

(RITU BAHRI)
JUDGE

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