

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

**CRM No. M-36634 of 2015
Date of decision: 19.10.2016**

Rupen Songra and another

...Petitioners

Versus

State of Haryana and another

...Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Sandeep Kotla, Advocate,
for the petitioners.

Mr.D.R. Singla, DAG, Haryana.

Ritu Bahri, J.

Quashing of FIR No. 340 dated 11.08.2005, under Sections 406, 498-A, 506 IPC, registered at Police Station, Civil Lines, Hisar (Annexure P-1) is sought on the basis of compromise dated 08.02.2015 (Annexure P-4) effected between the parties.

The F.I.R was registered on the basis of complaint made by Govind Ram, father of Meenakshi-respondent No.2 to the effect that marriage of his daughter was solemnized with Rupen Songra-petitioner No.1 on 20.11.2002 at Hisar as per Hindu rites and ceremonies. Out of this wedlock, one male child was born in the year 2004. Soon after the marriage, her in-law (petitioners) started harassing and humiliating her on the pretext of bringing inadequate dowry. Ultimately, she was thrown out of her matrimonial house on 21.02.2005. Since then, she has been residing in her parental house. In this background, the FIR was registered.

Petitioner No.1 had gone Australia before registration of the

present FIR. Thereafter, petitioner No.2 also shifted there for higher studies and started living with her brother (petitioner No.1). After registration of the case, both the petitioners were declared proclaimed offenders.

During the pendency of trial, with the intervention of respectable persons, the matter has been settled between the parties vide compromise dated 08.02.2015 (Annexure P-4). A divorce petition filed by respondent No.2 has also been allowed by the District Judge, Family Court, Hisar, vide judgment dated 11.12.2013 (Annexure P-3). Mangla Ram and Kamla Devi (parents-in-law of respondent No.2) have faced trial and vide judgment dated 10.05.2013 (Annexure P-2) passed by the Addl. Chief Judicial Magistrate, Hisar, they both have been acquitted of the charges framed against them.

In compliance with the order dated 11.08.2016 passed by this Court, Meenakshi-respondent No.2 and Mangla Ram, father of petitioners, got recorded their statements before the trial Court. Report from the Additional Chief Judicial Magistrate, Hisar, has been received in this regard. As per report, Meenakshi-respondent No.2 (daughter of Gobind Ram-complainant) made her statement on 03.10.2016 to the effect that she has compromised the matter with accused-petitioners with her own will and without any coercion or pressure. She has no objection if, the above said FIR is quashed. Statement of Mangla Ram, father of Rupen songra and Manju-petitioners was also recorded to the same effect.

In the reply, filed on behalf of respondent-State, it is stated that petitioners have been declared as proclaimed offenders.

In the present case, the dispute between the parties has arisen out of matrimonial discord and after getting divorce, respondent No.2 (wife of

petitioner No.1) is living separately. She has got recorded her statement that she has no objection, if the present FIR is quashed. 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 (CrI.) 1052**, this Court is of the view that no useful purpose would be served in prolonging the litigation.

Accordingly, FIR No. 340 dated 11.08.2005, under Sections 406, 498-A, 506 IPC, registered at Police Station, Civil Lines, Hisar, is quashed with all consequential proceedings arising therefrom qua the petitioners.

The petition stands disposed of accordingly.

19.10.2016
ajp

(RITU BAHRI)
JUDGE

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