

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-39413-2015
Decided on: 25.07.2016

Sahil Bali and others

.... Petitioners

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Shailendra Sharma, Advocate,
for the petitioners.

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

RITU BAHRI, J (ORAL)

Quashing of FIR No. 166 dated 27.09.2013, under Sections 406/498-A/504/506/34-IPC, registered at Police Station, Panjokhra, Ambala (Annexure P-1) is sought on the basis of compromise dated 20.11.2013 (Annexure P-4).

The F.I.R was registered on the basis of statement made by respondent No.2-Swantanter Sharma @ Simmi against the accused-petitioner to the effect that her marriage took place with petitioner No.1 Sahil Bali and her marriage was arranged in the family by her cousin sister. Dowry articles were entrusted to petitioner Nos. 2 to 5 as per their demand and they played a fraud by concealing the fact that petitioner No.1 was a drug addict. Accused-petitioner used to demand money from her for his consumption of drugs and took away the amount received by the complainant-respondent No.2 at the time of shagun and also her istridhan. It was also alleged in the complaint that other accused persons used to demand

money for the business and on refusal of the complainant, accused-petitioner No.1 used to beat her mercilessly. On 02.01.2011, respondent No.2 turned out of her matrimonial home by the petitioner and since then she is residing at her parents home where she gave a birth to male child on 13.09.2011. In this background, the FIR was registered.

During the pendency of the trial, with the intervention of respectable persons of the locality, the matter has now been resolved between the petitioner and respondent No.2 vide compromise dated 20.11.2013 (Annexure P-4).

In compliance with the order dated 22.03.2016 passed by this Court, the parties got recorded their statements before the trial Court. Report from the Judicial Magistrate Ist Class, Ambala, has been received in this regard. As per report, Swantanter Sharma @ Simmi-respondent No.2 (complainant) made her statement on 04.04.2016 that she has compromised the matter with the accused (petitioner) by receiving a sum of Rs.5,40,00/- from him as life-time maintenance. She has no objection if, the above said FIR is quashed. Statement of Sahil Bali-petitioner was 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**, and 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**, is of the view that no useful purpose would be served in prolonging the litigation.

Accordingly, FIR No. 166 dated 27.09.2013, under Sections 406/498-A/504/506/34-IPC, registered at Police Station, Panjokhra, Ambala, is quashed with all consequential proceedings arising therefrom qua petitioner.

The petition stands disposed of accordingly.

July 25, 2016
Dinesh

(RITU BAHRI)
JUDGE