

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM No.M-40007 of 2015

Decided on: 25.07.2016

Harbans Lal and another

.... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Ankur Bansal, Advocate,
for the petitioners.

Mr. Jatinder Singh Riar, AAG, Punjab.

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

RITU BAHRI, J (ORAL)

Quashing of FIR No. 67 dated 03.06.2011, under Section 406/498-A IPC, registered at Police Station, Kartarpur, Jalandhar (Annexure P-1) and report under Section 173 Cr.P.C (Annexure P-2) is sought on the basis of compromise dated 24.09.2015 (Annexure P-3).

The F.I.R was registered on the basis of statement made by respondent No.2-Usha Rani against the accused-petitioner No.3 Varinder Kumar to the effect that her marriage with him was solemnized on 03.02.2008 at Jalandhar according to Hindu rites. Soon after marriage, matrimonial disputes arose between petitioner No.3 and respondent No.2. 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 No.3 and respondent No.2 vide compromise deed

dated 24.09.2014 (Annexure P-3).

In compliance with the order dated 21.12.2015 passed by this Court, the parties got recorded their statements before the trial Court. Report from the Judicial Magistrate Ist Class, Jalandhar, has been received in this regard. As per report, Usha Rani-respondent No.2 (complainant) made her statement on 07.01.2016 that she has compromised the matter with the petitioners. She has no objection if, the above said FIR is quashed. Statement of Varinder Kumar-petitioner No.3 and all other accused petitioners were 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. 67 dated 03.06.2011, under Section 406/498-A IPC, registered at Police Station, Kartarpur, Jalandhar, is quashed with all consequential proceedings arising therefrom qua petitioner.

The petition stands disposed of accordingly.

July 25, 2016
Dinesh

(RITU BAHRI)
JUDGE