

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

CRM-M-415 of 2016

Date of Decision: 19.07.2016

Vajinder Saini and others

.....Petitioners

Vs.

State of Haryana and another

.....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- None.

RITU BAHRI, J. (ORAL)

The instant petition has been filed under Section 482 of the Code of Criminal Procedure for quashing of FIR No.321 dated 24.04.2012, for the offence under Sections 323, 406, 498-A/506/34 IPC registered at Police Station Karnal City, District Karnal (Annexure P-1) along with all consequential proceedings arising therefrom, on the basis of compromise dated 17.11.2015 (Annexure P-2).

Reply has been filed by way of affidavit of Vivek Chaudhary, HPS, Deputy Superintendent of Police, City, Karnal, on behalf of respondent No.1, the same is taken on record.

The FIR was registered on the basis of statement made by complainant-Kiran. It was alleged by the complainant that since the beginning of the marriage, the behaviour of the petitioners and their family members was rude towards her. A male child was born out of this wedlock. They were not satisfied with the dowry articles brought by her at the time of marriage. Besides, they used to illtreat and taunt her for bringing inadequate dowry. They were maltreating, torturing and beating the complainant with a view to compel her to bring more dowry from her parents as they were not satisfied with the quality

and quantity of the dowry and article given by her parents. 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-Kiran, vide compromise deed dated 17.11.2015 (Annexure P-2).

In compliance with the order dated 01.04.2016 passed by this Court, the parties got recorded their statements before the trial Court. Report from the Civil Judge (Jr.Divn.)-cum-JMIC, Karnal, has been received in this regard. As per report, Kiran-complainant and accused-petitioners appeared before the trial Court on 25.04.2016 for getting their statements recorded in support of the compromise. In this regard statements of complainant-Kiran and accused-petitioners were recorded to the effect that they have compromised the matter and Kiran-complainant has no objection if the present FIR is quashed against these accused. Statements of 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. However, it was reported that no accused have been absconding/P.O. in the instant case.

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

Accordingly, FIR No.321 dated 24.04.2012, for the offence under Sections 323, 406, 498-A/506/34 IPC registered at Police Station Karnal City,

District Karnal (Annexure P-1) is quashed along with all consequential

proceedings arising therefrom qua the petitioners.

The petition stands disposed of accordingly.

(RITU BAHRI)
JUDGE

19.07.2016

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