

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-44181 of 2015

Date of Decision: 11.07.2016

Narinder Singh and others

.....Petitioners

Vs.

State of Punjab and another

.....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr.Payel Mehta, Advocate for the petitioners.

Mr.J.S.Riar, AAG Punjab.

RITU BAHRI, J. (ORAL)

The instant petition has been filed under Section 482 of the Code of Criminal Procedure for quashing of FIR No.163 dated 21.10.2014, for the offence under Sections 406, 498-A of IPC registered at Police Station City Kharar, District S.A.S.Nagar along with all consequential proceedings arising therefrom, on the basis of compromise.

The FIR was registered on the basis of statement made by Amanpreet Kaur-respondent No.2/complainant against the accused-petitioners to the effect that the advertisement was published in the English news paper "The Tribune" edition on dated 11.08.2013 seeking her matrimonial alliance in which it was stated that wanted vegetarian groom for her. In this regard, one Manjit Singh contacted her father Mr.Jasbir Singh. He said that his younger brother Narinder Singh was residing in Australia and doing job as a Manager. Upon asking by her father, he told that Narinder Singh is pure vegetarian and does not eat meat nor drinks alcohol and agreed for a simple marriage. Petitioners and all the family members of respondent No.2 decided that marriage will be solemnized on 26.01.2014 by way of Anand Karaj Ceremony at Gurudwara Sundarnagar, Pathankot. But before the marriage

Manjit Singh demanded Rs.23.00 Lacs for settling Narinder Singh-petitioner No.1 and Amandeep Kaur-respondent No.2 in Australia. Moreover, he also said that approximately 300 members of Barat will come and they would have not wish to eat any food arranged at the Gurudwara as langar because baratis eat non-veg and drink. The marriage will be arranged in marriage palace and total expenditure comes to Rs.3 Lacs approx. On 01.02.2014, Manjit Singh demanded Rs.6.50 Lacs for expenses of marriage and settling the complainant to Australia. Upon hearing this, she and her father were shocked and they felt that they have fallen into a trap but we were not able to anything. The father of the complainant had handed over Rs.4.50 Lacs to Manjit Singh after arranging the same by some unknown person at 3% interest on 24.01.2014. The Anand Karaj Ceremony has been held on 26.01.2014.

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 the respondent No.2. 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. A demand for Rs.2,00,000/- were also raised by her in-laws. She expressed her inability to fulfil the said demands, so, she was given beating by the petitioner No.1 and his family members. On this background, the FIR was registered.

In compliance with the order dated 29.03.2016 passed by this Court, the parties got recorded their statements before the trial Court. Report from the SDJM/Kharar, has been received in this regard. As per report, Amandeep Kaur-complainant and accused-Manjit Singh, Surjit Kaur, Reena Rani and Narinder Singh, appeared before the Court on 18.05.2016 for getting their statements recorded in support of the compromise. In this regard statements of complainant-Amandeep Kaur was also recorded to the effect that she stated that the compromise has been

without any coercion, inducement, threat or pressure from any corner and she has no objection if the present FIR is quashed against these accused. Statement of Narinder Singh-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, 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.163 dated 21.10.2014, for the offence under Sections 406, 498-A of IPC registered at Police Station City Kharar, District S.A.S.Nagar, is quashed along with all consequential proceedings arising therefrom qua the petitioners.

The petition stands disposed of accordingly.

(RITU BAHRI)
JUDGE

11.07.2016
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