

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-44270 of 2015
Date of Decision: 22.10.2016

Rajesh Sharma

.....Petitioner

Vs.

State of Punjab and another

.....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr.Naresh Jain, Advocate, for the petitioner.

Mr.J.S.Riar, AAG Punjab.

Mr.Ashok Giri, Advocate, for respondent No.2.

RITU BAHRI, J. (ORAL)

The instant petition has been filed under Section 482 of the Code of Criminal Procedure for quashing of FIR No.75 dated 19.08.2014, for the offence under Sections 406, 498-A IPC registered at Police Station Shahpur Mandi, District Pathankot, along with all consequential proceedings arising therefrom, on the basis of compromise dated 03.03.2015 (Annexure P-2).

It was alleged by the complainant that since the beginning of the marriage, the behaviour of the petitioner and his family members was rude towards her. 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/respondent No.2 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 petitioner and respondent No.2-Neha Sharma, vide compromise deed dated 03.03.2015 (Annexure P-2).

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 CJM, Pathankot, has been received in this regard. As per report, Neha Sharma-complainant and accused-petitioner appeared before the trial Court on 26.09.2016 for getting their statements recorded in support of the compromise. In this regard statements of complainant-Neha Sharma and accused-petitioner were recorded to the effect that they have compromised the matter and Neha Sharma-complainant has no objection if the present FIR is quashed against the petitioner. Statements of accused-petitioner 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**, 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.75 dated 19.08.2014, for the offence under Sections 406, 498-A IPC registered at Police Station Shahpur Mandi, District Pathankot, is quashed along with all consequential proceedings arising therefrom qua the petitioners.

The petition stands disposed of accordingly.

(RITU BAHRI)
JUDGE

22.10.2016
anil

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>