

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

CRM-M-7259-2015

Date of decision: 04.07.2016

Shiv Kumar Gupta and others

...Petitioners

Versus

State of Haryana and another

...Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. R.S. Tacoria, Advocate,
for the petitioners.

Mr. Anmol Malik, AAG, Haryana.

Mr. Sanjeev Roi, Advocate,
for Mr. Shiv Kumar, Advocate,
for respondent No.2.

Ritu Bahri, J.

Quashing of FIR No. 180 dated 14.05.2014, under Sections 498-A, 323, 506, 406, 34 IPC, registered at Police Station Sector 7, Faridabad (Annexure P-1), is sought on the basis of compromise dated 04.02.2015 (Annexure P-2) effected between the parties in the Mediation and Conciliation Centre of this Court.

The aforesaid F.I.R was registered on the basis of complaint made by Priyanka-respondent No.2 against the accused-petitioners. Marriage of complainant-respondent No.2 was solemnized with Udit Gupta-petitioner No.3 on 05.05.2013 at Milan Vatika, Sector 11, Faridabad, as per Hindu rites and customs. On account of difference in nature, their marriage

could not last long. Ultimately, on 06.04.2014, respondent No.2 left the

matrimonial home. Thereafter, petitioner No.3-husband filed a petition under Section 9 of the Hindu Marriage Act, 1955 for restitution of conjugal rights in the Family Court at Saket. In this background, the FIR was registered.

During the pendency of anticipatory bail, the matter was referred to the Mediation and Conciliation Centre of this Court, where the parties have compromised the matter on 04.02.2015. All the disputes have now been resolved between the the petitioners and respondent No.2- Priyanka, vide compromise deed dated 04.02.2015 (Annexure P-2).

In compliance with the order dated 09.03.2015 passed by this Court, the parties got recorded their statements before the trial Court. Report from the Judicial Magistrate Ist Class, Faridabad, has been received in this regard. As per report, Priyanka-respondent No.2 made her statement on 02.05.2015 to the effect that she has compromised the matter with the accused (petitioners) on her own free will. Statement of Udit Gupta-petitioner No.3 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 Ors. vs. State of Punjab and another 2007(3) RCR (CrI.) 1052**, this Court is of the view that no useful purpose would be served in prolonging the litigation.

Accordingly, FIR No. 180 dated 14.05.2014, under Sections 498-A, 323, 506, 406, 34 IPC, registered at Police Station Sector 7,

Faridabad, is quashed with all consequential proceedings arising therefrom qua petitioners.

The FDR of Rs.5 lacs, which is lying as surety to release the dowry articles, is ordered to be released to the complainant-respondent No.2.

The petition stands disposed of accordingly.

04.07.2016
ajp

(RITU BAHRI)
JUDGE