

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

**CRM-M-10657 of 2016
Date of Decision: 28.02.2017**

Salinder Singh Garha and Others

.....Petitioners

Vs.

State of Punjab and Anr.

.....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr.Himanshu Puri, Advocate, for the petitioners.

Ms.Manpreet Dhaliwal, 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.9 dated 24.02.2016, for the offence under Sections 406/498A IPC registered at Police Station Bholath, District Kapurthala (Annexure P-1) along with all consequential proceedings arising therefrom, on the basis of compromise dated 22.03.2016 (Annexure P-2).

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. They were not satisfied with the dowry articles brought by them 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 petitioners and respondent No.2-Rajinder Kaur, vide compromise deed dated 22.03.2016 (Annexure P-2).

Since, respondent No.2-Rajinder Kaur is residing in New-zealand, she has made her legal power of attorney Sh.Balkar Singh for the purpose of quashing of FIR. His identity proof has been attached with his statement.

In compliance with the order dated 08.11.2016 passed by this Court, the parties got recorded their statements before the trial Court. Report from the JMIC, Kapurthala, has been received in this regard. As per report, legal power of attorney Sh.Balkar Singh and accused-petitioners appeared before the trial Court for getting their statements recorded in support of the compromise. In this regard statements of legal power of attorney Sh.Balkar Singh and accused-petitioner were recorded to the effect that they have compromised the matter and legal power of attorney Sh.Balkar Singh has submitted that Rajinder Kaur-complainant has no objection if the present FIR is quashed against these accused/petitioners. 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.

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.

Sections 406/498A IPC registered at Police Station Bholath, District Kapurthala (Annexure P-1) is quashed along with all consequential proceedings arising therefrom qua the petitioners.

The petition stands disposed of accordingly.

(RITU BAHRI)
JUDGE

28.02.2017
anil

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