

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

**CRM No. M-11186 of 2017
Date of decision: 05.05.2017**

Swaran Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. M.S. Batth, Advocate,
for the petitioner.

Ms. Manpreet Dhaliwal, AAG, Punjab.

Ritu Bahri, J.

Quashing of FIR No. 40 dated 06.04.2013, under Sections 420 and 494 IPC, registered at Police Station, Sadar Patiala, District Patiala (Annexure P-1) is sought on the basis of compromise dated 28.03.2017 (Annexure P-2).

The F.I.R was registered on the basis of complaint made by Sarabjit Kaur-respondent No.2 (complainant) to the effect that she was working as Medical Lab Technologist in Punjab Government. About four years ago, she came in contact with Swaran Singh-petitioner, who was also employed in Punjab Government. He represented himself a bachelor and expressed his desire to perform marriage with the complainant. Thereafter, Swaran Singh performed marriage with the complainant on 26.02.2013 as per Sikh rites and rituals. After marriage, Swaran Singh took all the

jewellery articles of the complainant along with Rs.1 lakh in a clever manner. Consequently, he started harassing and humiliating the complainant to bring more dowry from her parents. She made representations dated 03.11.2012 and 08.11.2012 to the Senior Superintendent of Police, Chandigarh, but no action was taken thereon. Thereafter, the complainant came to know that her husband-Swaran Singh was already married to Madhu, to whom he had projected as his sister-in-law (*bhabhi*). He was also having a child namely Sandeep @ Bawa. In this background, the FIR was registered.

During the pendency of trial, with the intervention of respectable persons, the matter has been amicably resolved between the parties vide compromise deed dated 28.03.2017 (Annexure P-2).

In compliance with the order dated 03.04.2017 passed by this Court, parties got recorded their statements before the trial Court/Illaq Magistrate. Report from the Judicial Magistrate Ist Class, Patiala, has been received in this regard. As per report, Sarabjit Kaur-respondent No.2 (complainant) made her statement on 17.04.2017 to the effect that she has compromised the matter with accused-petitioner out of her own free will and without any pressure or coercion. She has no objection if, the above said FIR is quashed. Separate statement of Swaran Singh-petitioner was also recorded to the same effect. In view of separate statements given by 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. 40 dated 06.04.2013, under Sections 420 and 494 IPC, registered at Police Station, Sadar Patiala, District Patiala, is quashed with all consequential proceedings arising therefrom qua the petitioner.

The petition stands disposed of accordingly.

05.05.2017
ajp

(RITU BAHRI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No