

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

CRM-M-15252-2016

Date of Decision:27.03.2017

Dinesh Kumar and another

.....PETITIONERS

Vs.

State of Punjab and Anr.

.....RESPONDENTS

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr.Amit Khatkar, Advocate for the petitioners.

Mr.APS Gill, 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.218 dated 10.10.2010, for the offence under Sections 406 and 498-A IPC registered at Police Station Div. No.4, Jalandhar (Annexure P-1) along with all consequential proceedings arising therefrom, on the basis of compromise dated 01.03.2016 (Annexure P-2).

It was alleged by the complainant-Manisha Kashyap that her marriage had been solemnized on 27.02.2009 with petitioner No.1-Dinesh Kumar and sufficient dowry was given by the parents of the complainant, but 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 given by the parents of the complainant at the time of marriage. Besides, they used to illtreat and taunt her for bringing inadequate dowry. They were maltreating, torturing and given beatings to her 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 aforesaid FIR was registered.

During the pendency of the trial, the matter has been resolved between the petitioners and complainant/respondent No.2, vide compromise deed dated 01.03.2016 (Annexure P-2).

In compliance with the order dated 29.11.2016 passed by this Court, the parties got recorded their statements before the trial Court. Report from Judicial Magistrate Ist Class, Jalandhar, has been received in this regard. As per report, complainant appeared before the Court on 15.12.2016 and got her statement recorded that she has compromised the matter in the aforesaid FIR with the accused-petitioners and the compromise has been effected by her out of her own free will and consent and without any pressure or coercion from any corner. She has no objection if the present FIR is quashed. Statement 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.

Accordingly, FIR No.218 dated 10.10.2010, for the offence under Sections 406 and 498-A IPC registered at Police Station Div. No.4, Jalandhar (Annexure P-1) is quashed along with all consequential proceedings arising therefrom qua the petitioners.

The petition stands disposed of accordingly.

(RITU BAHRI)
JUDGE

27.03.2017
Anjal

Whether speaking/reasoned? Yes/No

Whether reportable? Yes/No