

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

**CRM No. M-15703 of 2017
Date of decision: 30.05.2017**

Vikas Gaur and others

...Petitioners

Versus

State of Haryana and another

...Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Adarsh Jain, Advocate,
for the petitioners.

Mr. D.R. Singla, DAG, Haryana.

Ms. Kamaldeep Kaur, Advocate,
for respondent No.2.

Ritu Bahri, J.

Quashing of FIR No. 385 dated 29.08.2013, under Sections 498-A, 406, 323, 506 read with Section 34 IPC, registered at Police Station, Sarai Khawaja, Faridabad (Annexure P-1) is sought on the basis of compromise/settlement deed dated 31.03.2017 (Annexure P-2).

The F.I.R was registered on the basis of complaint made by Rekha Gaur @ Rekha Kumari-respondent No.2 to the effect that her marriage was solemnized with Vikas Gaur-petitioner No.1 on 24.02.2012 as per Hindu rites and rituals. No child was born out of this wedlock. Soon after the marriage, her in-laws (petitioners) started harassing and humiliating her on the pretext of bringing insufficient dowry. She was also given beatings by them. Ultimately, she was thrown out of the matrimonial

house. In this background, the FIR was registered.

During the pendency of the trial, with the intervention of respectable persons, the matter has now been amicably resolved between the parties vide compromise deed dated 31.03.2017 (Annexure P-2). As per compromise, petitioner No.1 and respondent No.2 have decided to dissolve their marriage by filing a petition under Section 13-B of the Hindu Marriage Act with mutual consent.

In compliance with the order dated 04.05.2017 passed by this Court, parties have got recorded their statements before the trial Court/Illaq Magistrate. Report from the Judicial Magistrate, Ist Class, Faridabad, has been received in this regard. As per report, Rekha-respondent No.2 (complainant) made her statement on 22.05.2017 to the effect that she has compromised the matter with accused-petitioners out of her own free will and without any coercion or pressure. She has no objection if, the aforesaid FIR is quashed. Joint statement of Vikas Gaur, Jag Mohan Gaur and Asha-petitioners 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. 385 dated 29.08.2013, under Sections 498-A, 406, 323, 506 read with Section 34 IPC, registered at Police Station,

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

The petition stands disposed of accordingly.

30.05.2017
ajp

(RITU BAHRI)
JUDGE

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