

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-20502 of 2016
Date of Decision: 14.03.2017

Paramjit Kaur

.....Petitioner

Vs.

State of Punjab and others

.....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr.APS Mann, Advocate, for the petitioner.

Ms.Manpreet Dhaliwal, AAG, Punjab.

Ms.Riffi Birla, Advocate, for respondent No.2.

RITU BAHRI, J. (ORAL)

The instant petition has been filed under Section 482 of the Code of Criminal Procedure for quashing of FIR No.65 dated 03.06.2005, for the offence under Sections 498-A, 406, 494 IPC registered at Police Station Division No.3, Jalandhar (Annexure P-1) qua the petitioner including judgment of conviction recorded by the learned JMIC, Batala dated 21.08.2013, vide which the the petitioner was awarded RI for 1 year and fine of Rs.1000/- under Section 498-A IPC (Annexure P-2) along with all consequential proceedings arising therefrom, on the basis of compromise dated 27.04.2016 (Annexure P-3).

It was alleged by the complainant that since the beginning of the marriage, the behaviour of the petitioner and their family members was rude towards her. They were not satisfied with the dowry articles brought by her 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. Even the husband contracted new marriage with one Anuj Bala, r/o Village Babehali without getting divorce from the complainant. On this background, the FIR was registered.

Learned counsel for the petitioners submits that all the accused persons have been convicted, vide judgment of conviction and order of sentence dated 21.08.2013 (Annexure P-2), by the learned Judicial Magistrate 1st Class, Batala. The appeal against the judgment of conviction is pending consideration before the learned appellate Court. During the pendency of the trial, the matter has been resolved between the petitioner and Balvir Kaur-complainant/respondent No.2, vide compromise deed dated 06.08.2016 (Annexure P-3).

In compliance with the order dated 17.11.2016 passed by this Court, the parties got recorded their statements before the trial Court. Report from the Addl.Sessions Judge, Gurdaspur, has been received in this regard. As per report, Balvir Kaur-complainant/respondent No.2 and accused-petitioner appeared before the trial Court on 01.03.2017 for getting their statements recorded in support of the compromise. In this regard statements of Balvir Kaur-complainant/respondent No.2 and accused-petitioner were recorded to the effect that they have compromised the matter and Balvir Kaur-complainant/respondent No.2 has no objection if the present FIR is quashed against this accused/petitioner. Statements of accused-petitioner 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.65 dated 03.06.2005, for the offence under Sections 498-A, 406, 494 IPC registered at Police Station Division No.3, Jalandhar (Annexure P-1) qua the petitioner including judgment of conviction recorded by the learned JMIC, Batala dated 21.08.2013, vide which the the petitioner was awarded RI for 1 year and fine of Rs.1000/- under Section 498-A IPC (Annexure P-2) along with all consequential proceedings arising therefrom, on the basis of compromise dated 27.04.2016 (Annexure P-2) is quashed qua the petitioner.

The petition stands disposed of accordingly.

(RITU BAHRI)
JUDGE

14.03.2017

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