

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-23137-2016

Date of Decision:- 19.01.2017

Rajesh Sharma and others

....Petitioners

Versus

State of Haryana and another

....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

**Present: Mr. Raghav Sharma, Advocate
for the petitioners.**

Ms. Mahima Yashpal, AAG, Haryana.

**Mr. Namit Khurana, Advocate
for complainant-respondent No.2.**

RITU BAHRI, J. (Oral)

Present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.149 dated 02.08.2013, under Sections 498-A, 406 and 506 IPC, registered at Police Station Yamuna Nagar Sadar, District Yamuna Nagar, on the basis of compromise deed dated 29.02.2016 (Annexure P-2).

Brief facts of the case are that marriage between petitioner No.1 and respondent No.2 was solemnized on 05.12.2012 as per Hindu Rites and Rituals. The parents of the complainant had given dowry according to their capacity. After the marriage, the behavior of accused changed and they have started giving beatings to the complainant. Due to incompatibility of temperament, both the parties could not live together as husband and wife.

The relationship between them became strained and thereafter, the F.I.R was registered against the petitioners.

Learned counsel for the petitioners submits that keeping in view the peace and harmony, the matter has now been amicably settled between the parties with the intervention of respectable persons, vide compromise deed dated 29.02.2016 (Annexure P-2).

During the course of preliminary hearing, the trial Court, was directed to record the statements of all the concerned parties, with regard to the genuineness and validity or otherwise of the compromise deed dated 29.02.2016 (Annexure P-2), by way of order dated 13.07.2016, by this Court.

In compliance of order dated 13.07.2016 of this Court, the report of the Judicial Magistrate 1st Class, Jagadhri, dated 01.08.2016 has been received. As per the report, the statements of all the concerned parties have been recorded and the complainant has no objection, if the present FIR registered against the petitioners is quashed. Statements of the petitioners and complainant have been recorded to the same effect.

Consequently, in view of the above-said report and in view of the judgments of the Hon'ble Supreme Court in **Dr. Arvind Barsaul etc. Vs. State of Madhya Pradesh and another**, 2008(2) RCR (Criminal) 910; **Madan Mohan Abbot Vs. State of Punjab**, 2008(2) RCR (Criminal) 429 and 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 (Crl.) 1052, no useful purpose would be served in prolonging the litigation.

Accordingly, FIR No.149 dated 02.08.2013, under Sections 498-A, 406 and 506 IPC, registered at Police Station Yamuna Nagar Sadar, District Yamuna Nagar and all the subsequent proceedings arising therefrom qua petitioners are hereby quashed, on the basis of compromise deed dated 29.02.2016 (Annexure P-2).

The present petition stands disposed of.

January 19, 2017
naresh.k

(RITU BAHRI)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No