

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CRM-M-26534 of 2016  
Date of Decision: 14.03.2017

Sanjiv Kumar @ Sanju and another .....Petitioners

Vs.

State of Punjab and anr. ....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

**Present:-** Mr.Ritesh Pandey, Advocate, for the petitioners.

Ms.Manpreet Dhaliwal, AAG, Punjab.

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**RITU BAHRI, J. (ORAL)**

The instant petition has been filed under Section 482 of the Code of Criminal Procedure for quashing of FIR No.87 dated 02.07.2009, for the offence under Sections 406, 498-A IPC registered at Police Station A-Division, Amritsar (Annexure P-1) qua the petitioner including judgment of conviction recorded by the learned JMIC, Amritsar dated 10.03.2015 (Annexure P-2) along with all consequential proceedings arising therefrom, on the basis of compromise dated 28.04.2016 (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. On this background,

the FIR was registered.

Learned counsel for the petitioners submits that all the accused petitioners have been convicted, vide judgment of conviction and order of sentence dated 10.03.2015 (Annexure P-2), by the learned Judicial Magistrate 1<sup>st</sup> Class, Amritsar. 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 Meenashi-complainant/respondent No.2, vide compromise deed dated 28.04.2016 (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 District and Sessions Judge, Amritsar, has been received in this regard. As per report, Meenashi-complainant/respondent No.2 and accused-petitioners appeared before the trial Court on 17.01.2017 for getting their statements recorded in support of the compromise. In this regard statements of Meenashi-complainant/respondent No.2 and accused-petitioners were recorded to the effect that they have compromised the matter and Meenashi-complainant/respondent No.2 has no objection if the present FIR is quashed against this accused/petitioners. Statements 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 (CrI.) 1052,** this Court is of the view that no useful purpose would be served in prolonging the litigation.

Accordingly, FIR No.87 dated 02.07.2009, for the offence under Sections 406, 498-A IPC registered at Police Station A-Division, Amritsar (Annexure P-1) qua the petitioner including judgment of conviction recorded by the learned JMIC, Amritsar dated 10.03.2015 (Annexure P-2) along with all consequential proceedings arising therefrom, on the basis of compromise dated 28.04.2016 (Annexure P-3) is quashed qua the petitioners.

The petition stands disposed of accordingly.

**(RITU BAHRI)**  
**JUDGE**

**14.03.2017**  
*anil*

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