

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

**CRM No. M-26561 of 2016
Date of decision: 23.02.2017**

Chaman @ Chiman Malik and others

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Ms. Rahish Pahwa, Advocate,
for the petitioners.

Mr. A.P.S. Gill, AAG, Punjab.

Ritu Bahri, J.

Quashing of FIR No. 98 dated 12.11.2012, under Sections 406 and 498-A IPC, registered at Police Station, Women Cell, District Ludhiana (Annexure P-1) is sought on the basis of compromise dated 05.07.2016 (Annexure P-2).

The F.I.R was registered on the basis of complaint made by Jinny-respondent No.2 (complainant) to the effect that her marriage was solemnized with Kamal Masih-petitioner No.3 on 23.12.2010. Soon after the marriage, her in-laws i.e. petitioners started harassing and humiliating her on the pretext of bringing insufficient dowry. She was also given beatings by them. In this background, the FIR was registered.

During the pendency of trial, with the intervention of

respectable persons, the matter has been amicably resolved between the parties vide compromise deed dated 05.07.2016 (Annexure P-2). In this regard, complainant has also given her affidavit dated 05.07.2016 (Annexure P-3). Petitioner No.3 could not appear before the Court and was declared as proclaimed offender.

In compliance with the order dated 29.08.2016 passed by this Court, parties got recorded their statements before the trial Court/Illaq Magistrate. Report from the Judicial Magistrate Ist Class, Ludhiana, has been received in this regard. As per report, Jinny-respondent No.2 (complainant) made her statement on 04.11.2016 to the effect that she has compromised the matter with accused-petitioners out of her own free will and without any pressure or coercion. She has no objection if, the above said FIR is quashed against her husband and other accused. Joint statement of Chaman Malik and Biro-petitioner Nos. 1 and 2 was also recorded to the same effect.

Dispute between the parties was personal in nature, which has now been resolved amicably. 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 (Cr1.) 1052**, this Court is of the view that no useful purpose would be served in prolonging the litigation.

Accordingly, FIR No. 98 dated 12.11.2012, under Sections 406

is quashed with all consequential proceedings arising therefrom qua the petitioners.

The petition stands disposed of accordingly.

23.02.2017
ajp

(RITU BAHRI)
JUDGE

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