

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

CRM-M- 27258-2016

Date of Decision:27.03.2017

Vijay Kumar and others

.....PETITIONERS

Vs.

State of Punjab and Anr.

.....RESPONDENTS

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr.Saneep Arora, Advocate for the petitioners.

Mr.APS Gill, AAG, Punjab.

RITU BAHRI J. (ORAL)

The instant petition has been filed under Section 482 of the Code of Criminal Procedure for quashing of FIR No.103, dated 03.07.2016, for the offence under Sections 498-A/328/34 IPC registered at Police Station Mehatpur, Jalandhar along with all consequential proceedings arising therefrom, on the basis of compromise dated 23.07.2016 (Annexure P-2).

Briefly stated that the marriage between complainant-respondent No.2 and petitioner no.1-Vijay Kumar had been solemnized in the year 2014 according to religious rites. After the marriage, the parties lived and cohabited together as husband and wife. From this wedlock, no child was born. As per the allegation made by the complainant in the FIR, since the beginning of the marriage, the behaviour of the petitioners and their family members was rude towards her. They often used to pick up quarrel with her. On 28.06.2016 at about 10 a.m. her husband-Vijay Kumar started quarrelling with her. He along with his other family members forcibily administered some poisonous substance packed in a plastic bottle in her mouth and on raising alarm by her, these persons ran away from the spot. 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. On this background, the aforesaid FIR was registered.

During the pendency of the trial, the matter has been resolved between the petitioners and complainant/respondent No.2, vide compromise deed dated 23.07.2016 (Annexure P-2).

In compliance with the order dated 08.08.2016 passed by this Court, the parties got recorded their statements before the trial Court. Report from Judicial Magistrate Ist Class, Nakodar has been received in this regard. As per report, complainant-Inderjit Kaur appeared on 16.02.2017 and got her statement recorded that she has compromised the matter in the aforesaid FIR with the accused-petitioners and the compromise has been effected by her out of her own free will and consent and without any pressure or coercion from any corner. She has no objection if the present FIR is quashed. Statement 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 (Crl.) 1052**, this Court is of the view that no useful purpose would be served in prolonging the litigation.

Accordingly, FIR No.103, dated 03.07.2016, for the offence under Sections 498-A/328/34 IPC registered at Police Station Mehatpur, Jalandhar (Annexure P-1) is quashed along with all consequential proceedings arising

therefrom qua the petitioners.

The petition stands disposed of accordingly.

(RITU BAHRI)
JUDGE

27.03.2017
Anjal

Whether speaking/reasoned? Yes/No

Whether reportable? Yes/No