

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

CRM-M-3292-2017

Date of Decision:27.03.2017

Rajan Budhwar

.....PETITIONER

Vs.

State of Punjab and Anr.

.....RESPONDENTS

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr.Shiv Kumar, Advocate for the petitioner.

Mr.Manpreet Dhaliwal, AAG, Punjab.

Mr.Samuel Gill, 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.01 dated 07.01.2015, for the offence under Sections 406 and 498-A IPC registered at Police Station Mullanpur Garibdass, Distt, SAS Nagar, Mohali (Annexure P-1) along with all consequential proceedings arising therefrom, on the basis of compromise dated 17.02.2016 (Annexure P-2) and affidavit of respondent no.2 to that effect (Annexure P-3).

It was alleged by the complainant-Raman that her marriage had been solemnized with the petitioner-Rajan Budhwar in the year 2002. In the marriage, the parents of the complainant gave ornaments and other dowry articles beyond their capacity, but after a few days of the marriage, the behaviour of the petitioners and their family members was rude towards her.

They were not satisfied with the dowry articles given by the parents of the

complainant at the time of marriage. Her husband used to talk to other girls over phone and thereafter, she came to know that he having affair with one Ekta before the marriage. Rajan and Ekta wanted to marry each other, but the family members of the petitioner did not do so and in the greed of dowry, they married Rajan to her. Besides, they used to illtreat and taunt her for bringing inadequate dowry. They were maltreating, torturing and given beatings to her 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 aforesaid FIR was registered.

During the pendency of the trial, the matter has been resolved between the petitioner and complainant/respondent No.2, compromise dated 17.02.2016 (Annexure P-2) and affidavit of respondent no.2 to that effect (Annexure P-3).

In compliance with the order dated 02.02.2017 passed by this Court, the parties got recorded their statements before the trial Court. Report from Judicial Magistrate Ist Class, Kharar, has been received in this regard. As per report, complainant appeared before the Court on 27.02.2017 and got her statement recorded that she has compromised the matter in the aforesaid FIR with the accused-petitioner 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-petitioner was 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.01 dated 07.01.2015, for the offence under Sections 406 and 498-A IPC registered at Police Station Mullanpur Garibdass, Distt, SAS Nagar, Mohali (Annexure P-1) is quashed along with all consequential proceedings arising therefrom qua the petitioner.

The petition stands disposed of accordingly.

(RITU BAHRI)
JUDGE

27.03.2017
Anjal

Whether speaking/reasoned? Yes/No

Whether reportable? Yes/No