

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

**CRM No. M-34976 of 2016
Date of decision: 12.01.2017**

Surinder Kumar @ Sonu and another

...Petitioners

Versus

State of U.T., Chandigarh and another

...Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Jatinder Kumar Kamboj, Advocate,
for the petitioners.

Mr. G.S. Chahal, APP,
for U.T., Chandigarh-respondent No.1.

Ritu Bahri, J.

Quashing of FIR No. 134 dated 21.03.2014, under Sections 406/498-A IPC, registered at Police Station, Manimajra, U.T., Chandigarh (Annexure P-1) is sought on the basis of compromise dated 05.01.2016 (Annexure P-2).

The F.I.R was registered on the basis of complaint made by Mukta Dhiman-respondent No.2 (complainant) to the effect that her marriage was solemnized with Surinder Kumar-petitioner No.1 on 16.04.2003 as per Sikh rites and rituals at Jyoti Palace, Yamunanagar. Out of this wedlock, one daughter namely Manya, was born. Soon after the marriage, her in-laws (petitioners) started harassing and humiliating her on the pretext of bringing insufficient dowry. She was also given beatings by

them. Ultimately, she was thrown out of the matrimonial house. In this

background, the FIR was registered.

After registration of the FIR, the petitioners had to apply for grant of regular bail before the Court. During the pendency of bail application, the matter was referred to the Mediation and Conciliation Centre, where a compromise has been effected between the petitioners and the complainant, which was reduced into writing on 05.01.2016 (Annexure P-2). As per compromise, respondent No.2 and petitioner No.1 filed a petition under Section 13-B of the Hindu Marriage Act seeking divorce with mutual consent, which has been allowed by the Additional District Judge, Chandigarh vide judgment and decree dated 28.07.2016.

In compliance with the order dated 30.09.2016 passed by this Court, parties got recorded their statements before the trial Court/Illaq Magistrate. Report from the Judicial Magistrate Ist Class, Chandigarh, has been received in this regard. As per report, Mukta Dhiman-respondent No.2 (complainant) made her statement on 09.01.2017 to the effect that with the intervention of respectable persons, she has compromised the matter with accused-petitioners out of her own free will and without any pressure or coercion. Her marriage with petitioner No.1 has already been dissolved by a decree of divorce dated 28.07.2016 passed by the Additional District Judge, Chandigarh in a petition under Section 13-B of the Hindu Marriage Act. She has no objection if, the above said FIR is quashed. Separate statement of Surinder @ Sonu-petitioner No.1 was also recorded to the same effect. 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 (CrI.) 1052, this Court is of the view that no useful purpose would be served in prolonging the litigation.

Accordingly, FIR No. 134 dated 21.03.2014, under Sections 406/498-A IPC, registered at Police Station, Manimajra, U.T., Chandigarh, is quashed with all consequential proceedings arising therefrom qua the petitioners.

The petition stands disposed of accordingly.

12.01.2017
ajp

(RITU BAHRI)
JUDGE

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