

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

CRM-M- 3474-2017

Date of Decision:27.03.2017

Gaurav Kumar and others

.....PETITIONERS

Vs.

State of Punjab and anr.

.....RESPONDENTS

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr.G.B.S.Gill, Advocate for the petitioners.

Ms.Manpreet Dhaliwal, 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.85 dated 28.07.2016, for the offence under Sections 406, 498-A of IPC registered at Police Station Gidderbaha, Distt. Sri Muktsar Sahib (Annexure P-1) along with all consequential proceedings arising therefrom, on the basis of compromise dated 02.11.2016 (Annexure P-2).

It was alleged by the complainant-Suchet Bala that her marriage had been solemnized on 06.07.2012 with the petitioner-Gaurav Kumar at Sirsa and huge amount was spent on the marriage by her parents, Thereafter, they lived together at Sirsa and she gave birth to one male child. but since the beginning of the marriage, the behaviour of the petitioners and their family members was rude towards her. They were not satisfied with the dowry articles brought by them at the time of marriage. 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. Therefore, they are living separately since 17.07.2014. On this background, the aforesaid FIR was registered.

During the pendency of the trial, the matter has been resolved between the petitioners and respondent No.2, vide compromise deed dated 02.11.2016 (Annexure P-2).

In compliance with the order dated 03.02.2017 passed by this Court, the parties got recorded their statements before the trial Court. Report from the Sub Divisional Judicial Magistrate, Gidderbaha, has been received in this regard. As per report, complainant appeared before the Court on 06.03.2017 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 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.85 dated 28.07.2016, for the offence under Sections 406, 498-A of IPC registered at Police Station Gidderbaha, Distt. Sri Muktsar Sahib (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