

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-38875-2016

Date of Decision:- 10.01.2017

Gurmail Singh and others

....Petitioners

Versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

**Present: Mr. G.S. Hayer, Advocate,
for the petitioners.**

Mr. APS Gill, AAG, Punjab.

**Mr. A.S. Gill, Advocate
for respondent No.2.**

RITU BAHRI, J. (Oral)

Present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.90 dated 29.06.2014, under Sections 420, 427, 406, 495 and 494 IPC, registered at Police Station Kot Ise Khan, District Moga, on the basis of compromise dated 03.08.2016 (Annexure P-2).

Brief facts of the case are that Jaspreet Singh son of petitioner Nos.1 and 2 had solemnized the marriage with Sandeep kaur (respondent No.2) without taking the divorce from his first wife and he has one girl child also from that marriage. The parents of the complainant had given dowry according to their capacity. After the marriage, the behavior of the accused became changed and they started beatings to the complainant on account of demand of dowry. Consequently, the F.I.R was registered against the petitioners.

Learned counsel for the petitioners submits that keeping in view the peace and harmony, the matter has now been amicably settled

between the parties with the intervention of respectable persons, vide compromise dated 03.08.2016 (Annexure P-2).

During the course of preliminary hearing, the trial Court, was directed to record the statements of all the concerned parties, with regard to the genuineness and validity or otherwise of the compromise dated 03.08.2016 (Annexure P-2), by way of order dated 27.10.2016, by this Court.

In compliance of order dated 27.10.2016 of this Court, the report of the Additional Chief Judicial Magistrate, Moga, dated 21.12.2016 has been received. As per the report, the statements of all the concerned parties have been recorded and the complainant has no objection, if the present FIR registered against the petitioners is quashed. Statements of the petitioners and complainant have been recorded to the same effect. Moreover, accused Jaspreet Singh had been declared proclaimed offender in the present case.

Consequently, in view of the above-said report and in view of the judgments of the Hon'ble Supreme Court in **Dr. Arvind Barsaul etc. Vs. State of Madhya Pradesh and another, 2008(2) RCR (Criminal) 910; Madan Mohan Abbot vs. State of Punjab, 2008(2) RCR (Criminal) 429** and 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 (Crl.) 1052**, no useful purpose would be served in prolonging the litigation.

Accordingly, FIR No.90 dated 29.06.2014, under Sections 420, 427, 406, 495 and 494, registered at Police Station Kot Ise Khan, Moga and all the subsequent proceedings arising therefrom qua petitioners are hereby quashed, on the basis of compromise dated 03.08.2016 (Annexure P-2).

The present petition stands disposed of.

January 10, 2017
naresh.k

(**RITU BAHRI**)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No