

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

Criminal Misc. No. M-43490 of 2016

Date of Decision:-03.02.2017

Iqbal Singh others

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM:- HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr.Kanwar Yuvraj Singh, Advocate for the petitioner.

Ms. Dipa Singh, Addl. A.G. Punjab.

Mr.Yogesh Goel, Advocate for respondent No.5.

RITU BAHRI J.(Oral)

Quashing of FIR No. 3 dated 05.04.2009, under Sections 498-A, 406, 420 and 34 IPC, registered at Police Station, NRI, Moga, (Annexure P-1) is sought on the basis of compromise dated 20.10.2016 (Annexure P-6).

The F.I.R was registered on the basis of statement made by respondent No.5-Shallu(complainant wife) against the petitioners i.e. Sukhwinder Pal Singh (husband) Iqbal Singh (father of Sukhwinder Pal Singh) Baljit Kaur (wife of Iqbal Singh) and Neeru (daughter of Iqbal Singh) to the effect that she was harrassed by her husband and his other family members for not giving proper dowry and they have also threatened her and her other family members for illegal demands. In this background, the FIR was registered.

During the pendency of the trial, with the intervention of respectable persons, the matter has now been resolved between the the petitioner No.4 (husband) and respondent No.5(wife) vide compromise deed dated 20.10.2016 (Annexure P-6).

In compliance with the order dated 07.12.2016 passed by this Court, the parties got recorded their statements before the trial Court. Report from the Judicial Magistrate Ist Class, Moga, has been received in this regard. As per report, Shallu-respondent No.5 (complainant-wife) made her statement on 21.12.2016 to the effect that with the intervention of the respectable persons, she has compromised the matter with the accused-petitioners without any pressure. She has no objection if, the above said FIR is quashed. Statement of petitioner No.5-Sukhwinder Pal Singh(husband) 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 Ors. 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. 3 dated 05.04.2009, under Sections 498-A, 406, 420 and 34 IPC, registered at Police Station, NRI, Moga, (Annexure P-1), is quashed with all consequential proceedings arising therefrom qua petitioners.

The petition stands disposed of accordingly.

03.02.2017
Anjal

(RITU BAHRI)
JUDGE

Whether speaking/reasoned?

Yes/No

Whether reportable?

Yes/No