

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-45885 of 2016
Date of Decision: 19.04.2017

Mukesh Nauhria

.....Petitioner

Vs.

State of Punjab and another

.....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr.Narinder Singh, Advocate, for the petitioner.

Ms.Manpreet Dhaliwal, AAG, Punjab.

Mr.Mavpreet Singh, Advocate, for respondents No.2 and 3.

RITU BAHRI, J. (ORAL)

The instant petition has been filed under Section 482 of the Code of Criminal Procedure for quashing of FIR No.62 dated 03.10.2011, for the offence under Sections 406, 498-A IPC registered at Police Station Phase-VIII, Mohali, Distt. SAS Nagar (Mohali) (Annexure P-1) along with all consequential proceedings arising therefrom, on the basis of compromise dated 17.12.2016 (Annexure P-2).

It was alleged by the complainant that since the beginning of the marriage, the behaviour of the petitioners and their family members was rude towards his daughter. They were not satisfied with the dowry articles brought by her at the time of marriage. Besides, they used to illtreat and taunt her daughter for bringing inadequate dowry. They were maltreating, torturing and beating respondent No.2 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 FIR was registered.

During the pendency of the trial, the matter has been resolved between the petitioners and respondents No.2 and 3 i.e. Anchal Garg and Mohinder Pal Garg, vide compromise deed dated 17.12.2016 (Annexure P-2).

In compliance with the order dated 22.12.2016 passed by this Court, the parties got recorded their statements before the trial Court. Report from the JMIC, Mohali, has been received in this regard. As per report, respondents No.2 and 3 i.e. Anchal Garg and Mohinder Pal Garg and accused-petitioners appeared before the trial Court on 11.01.2017 for getting their statements recorded in support of the compromise. In this regard statements of respondents No.2 and 3 i.e. Anchal Garg and Mohinder Pal Garg and accused-petitioners were recorded to the effect that they have compromised the matter and respondents No.2 and 3 i.e. Anchal Garg and Mohinder Pal Garg have no objection if the present FIR is quashed against these accused/petitioners. Statements of accused-petitioners were 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.62 dated 03.10.2011, for the offence under Sections 406, 498-A IPC registered at Police Station Phase-VIII, Mohali, 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

19.04.2017
anil

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>