

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-46284 of 2016
Date of Decision: 04.05.2017

Surinder Singh @ Chinda

.....Petitioners

Vs.

State of Punjab and another

.....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr.Digvijay Nagpal, Advocate for the petitioners.

Mr.J.S.Riar, AAG Punjab.

Mr.H.S.Sidhu, Advocate, for respondent No.2.

RITU BAHRI, J. (ORAL)

The instant petition has been filed under Section 482 of the Code of Criminal Procedure for quashing of complaint No.59 dated 15.09.2010, for the offence under Sections 406, 498-A, 494 and 34 IPC pending in the Court of JMIC, Samana (Annexure P-1) and the summoning order in CRM No.123 of 2016 dated 02.07.2014 (Annexure P-2) along with all consequential proceedings arising therefrom, on the basis of compromise dated 18.11.2016 (Annexure P-3).

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 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 beating the complainant/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 respondent No.2-Lakhwinder Kaur, vide

compromise deed dated 18.11.2016 (Annexure P-3).

In compliance with the order dated 23.12.2016 passed by this Court, the parties got recorded their statements before the trial Court. Report from the JMIC, Samana, has been received in this regard. As per report, Lakhwinder Kaur-complainant and accused-petitioner appeared before the trial Court on 09.02.2017 for getting their statements recorded in support of the compromise. In this regard statements of complainant-Lakhwinder Kaur and accused-petitioner were recorded to the effect that they have compromised the matter and Lakhwinder Kaur-complainant has no objection if the present FIR is quashed against these accused/petitioner. Statements of accused-petitioner 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, complaint No.59 dated 15.09.2010, for the offence under Sections 406, 498-A, 494 and 34 IPC pending in the Court of JMIC, Samana (Annexure P-1) and the summoning order in CRM No.123 of 2016 dated 02.07.2014 (Annexure P-2) is quashed along with all consequential proceedings arising therefrom qua the petitioners.

The petition stands disposed of accordingly.

(RITU BAHRI)
JUDGE

04.05.2017

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