

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

**CRR No.3421 of 2015 (O&M)
Date of decision: 02.03.2017**

Shamsher Singh

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Jaswinder Singh, Advocate,
for the petitioner.

Ms. Manpreet Dhaliwal, AAG, Punjab.

Mr. Rishu Mahajan, Advocate,
for respondent No.2.

Ritu Bahri, J.

This petition has been filed against the judgment dated 04.08.2015 passed by the Additional Sessions Judge, Sri Muktsar Sahib, dismissing the appeal filed by the petitioner against the judgment of conviction and order of sentence dated 16.02.2015 passed by the Judicial Magistrate Ist Class, Gidderbaha, whereby he has been convicted and sentenced to undergo rigorous imprisonment for a period of 03 years and to pay a fine of Rs.5000/- for commission of an offence punishable under Section 498-A IPC.

Initially, FIR No.26 dated 25.03.2010, under Sections 498-A/406/354 IPC was registered at Police Station, Kot Bhai on a complaint made by Manvinder Kaur Sidhu-complainant (respondent No.2) to the

effect that her marriage was solemnized with Shamsheer Singh-petitioner on 06.08.2006 as per Sikh rites and ceremonies at Madaan Palace, Sri Muktsar Sahib. Out of this wedlock, one child was born. Soon after the marriage, in-laws of Manvinder Kaur Sidhu started harassing and humiliating her on the pretext of bringing insufficient dowry. On many occasions, they gave beatings to her. Her father-in-law also tried to outrage her modesty. They, even misappropriated the dowry articles, gifts etc., which were given to her by parents and other relatives at the time of marriage. Ultimately, she was turned out of the matrimonial house. In this background, the FIR was registered. On completion of investigation, challan was presented and trial commenced.

Trial Court, after going through the evidence led by the prosecution, convicted accused-petitioner Shamsheer Singh, along with co-accused and sentenced him in the aforesaid terms.

Feeling aggrieved by the said judgment, Shamsheer Singh (petitioner) and his co-accused filed their separate appeals. The Additional Sessions Judge, Sri Muktsar Sahib, vide impugned judgment dated 04.08.2015 dismissed the appeal filed by petitioner. However, appeal filed by his co-accused has been allowed. Hence, this petition.

During the pendency of this petition, the matter has been compromised between the parties and vide order dated 31.05.2016 passed by this Court, Manvinder Kaur Sidhu, wife of petitioner, has been impleaded as respondent No.2 in this petition.

Learned counsel for respondent No.2-complainant states that with the intervention of respectable persons, she (complainant) has compromised the matter with Shamsheer Singh-petitioner as per compromise deed dated

16.03.2016 (Annexure A-1). As per compromise, Shamsheer Singh has agreed to give half of his salary to Manvinder Kaur-wife and Amninder Singh-minor child. Manvinder Kaur has no objection, if the aforesaid FIR is quashed and Shamsheer Singh-petitioner is acquitted in this case.

In view of the compromise dated 16.03.2016 (Annexure A-1), the Court is satisfied that the matter has been amicably settled between the parties and compromise is valid and genuine one.

Consequently, in view of the judgment of the Hon'ble Supreme Court in case **Madan Mohan Abbot Vs. State of Punjab**, 2008 (2) RCR (Criminal) 429, the law laid down by the Full Bench of this Court in case **Kulwinder Singh and others Vs. State of Punjab and another**, 2007 (3) RCR (CrI.) 1052, this Court is of the view that no useful purpose would be served in prolonging the litigation between the parties.

Accordingly, FIR No.26 dated 25.03.2010, under Sections 498-A, 406, 354 IPC, registered at Police Station, Kot Bhai and impugned judgments of conviction dated 16.02.2015 & 04.08.2015 are set aside with all consequential proceedings arising therefrom qua the petitioner.

Petition stands disposed of accordingly.

02.03.2017
ajp

(RITU BAHRI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No