

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

**CRM-M No.45351 of 2018
Date of Decision: 21.05.2019**

VIKAS AND ORS

.....Petitioners

Versus

STATE OF HARYANA AND ANR

.....Respondents

CORAM : HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. S.S. Kharb, Advocate for the petitioners
petitioners No. 1 and 2 in person.

Mr. Arun Kumar, AAG, Haryana.

Mr. Gaurav Tyagi, Advocate for the complainant
Complainant/respondent No.2-Shikha in person.

MAHABIR SINGH SINDHU, J. (ORAL)

Present petition has been filed under Section 482 Cr.P.C. praying for quashing of FIR No.38 dated 01.06.2015, under Sections 498-A, 313, 506, 323 and 34 of the Indian Penal Code, registered at Police Station, Women Police Station, District Sonapat along with all consequential proceedings arising therefrom on the basis of compromise dated 18.07.2018(**Annexure P-2**) entered into between the parties i.e. petitioners as well as respondent No.2.

As per the allegations in the FIR, it has been alleged that complainant-respondent No.2 married with petitioner No.1 on 08.03.2014 as per

Hindu rites. The behaviour of the petitioners towards her did not remain well after the marriage. On 09.03.2014, when complainant went to the house of the petitioners at the time of ceremonies, petitioner No.4 forcibly snatched her purse, took out Rs. 21,000/- and gave to petitioner No.3. Then petitioners in conspiracy with each other forcibly got removed the Stridhan Jewellery of the complainant and kept with them at Delhi. On 05.04.2014, petitioner No.1 came at night in an inebriated condition and gave merciless beating to the complainant. Due to beatings, on 07.04.2014 she was taken for treatment to Vinayak Hosptial, Delhi. It is further alleged that since the day of marriage the petitioners demanded dowry and forcibly used to take money on different occasions from the complainant as well as her mother. When the complainant expressed helplessness, then they used to beat and threaten that they will kidnap her as well as her mother and kill both of them. The accused persons out of greed for dowry, made the life of the complainant difficult to live and tortured mentally as well as physically.

Heard learned counsel for the parties and perused the paper book.

In terms of the order dated 28.01.2019, report from learned Additional Chief Judicial Magistrate, Sonipat has been received. A perusal of the aforesaid report reveals that statement of parties could not be recorded as they did not appear before the Court concerned. Further reveals that as per the statement of SI Suresh Kumar, Police Station Women Police Station, Sonipat, no one has been declared as proclaimed offender in this case.

Petitioners as well as respondent No.2/complainant are present in the Court. Both are identified by their respective counsels.

Respondent No.2-Shikha, who is present in Court, states that she

has no objection in case the FIR in question as well as all other consequential proceedings arising therefrom are quashed in view of the settlement between the parties.

On instructions from the police official who is present in Court, learned State Counsel has acknowledged the above fact and further stated that he has no objection in case the present FIR as well as all other consequential proceedings are quashed on the basis of the compromise effected between the parties. Even before this Court also, there is no objection by either of the parties in case the present FIR is quashed.

Since the matter is primarily matrimonial dispute and has been compromised between the parties, this Court is fully convinced that the offences are entirely personal in nature and do not affect any public peace and tranquility, thus quashing of FIR in question along with all consequential proceedings on the basis of compromise would bring peace and harmony to secure the ends of justice. Consequently, the present petition is allowed and the aforesaid FIR along with all consequential proceedings resulting therefrom are quashed qua the petitioners.

May 21, 2019

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**(MAHABIR SINGH SINDHU)
JUDGE**

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