

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-22119-2019

Date of decision : 10.09.2019

Ravinder Singh and others

.... Petitioners

Versus

The State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. S.S. Sarwara, Advocate
for the petitioners.

Ms. Rashmi Attri, AAG, Punjab.

Ms. Nisha, Advocate for
Mr. S.P.S. Chakkal, Advocate
for respondent No.2.

GURVINDER SINGH GILL, J (ORAL)

1. The petitioners have approached this Court seeking quashing of criminal complaint No.SC 99 of 2018 CNR No.PBRO01-004241-2018 under Sections 406, 316, 498-A, 506, 323, 376/511, 35, 120-B/34 IPC as well as all the subsequent proceedings arising therefrom on the ground that the parties have amicably resolved the matter.
2. The complaint in question was instituted at the instance of Gurpreet Kaur, wife of petitioner No.1-Ravinder Singh, wherein it has been alleged that she was married to Ravinder Singh on 30.09.2008 and although a large number of articles of dowry had been given at the time of marriage, but her husband and other members of his family were not satisfied with the same and used to harass her in order to press upon their

demands of more dowry. It is also alleged that the accused also caused miscarriage of her pregnancy. The complainant also levelled allegations against her father-in-law Lal Singh to the effect that he had assaulted her in an attempt to outrage her modesty.

3. Pursuant to the directions issued by this Court on 15.05.2019, the statements of the petitioners as well as of the complainant have been recorded by the learned Additional Sessions Judge, Rupnagar, where the trial is pending. As per report of the learned Additional Sessions Judge, the parties had made statements to the effect that they have compromised the matter out of their free will. It has been opined in the report that the compromise had been effected voluntarily without there being any coercion or undue influence. It is further reported therein that in fact the complainant and petitioner No.1 have also filed the petition under Section 13B of the Hindu Marriage Act seeking dissolution of their marriage by a decree of divorce by mutual consent.
4. It was accused Lal Singh against whom allegations of an alleged attempt to rape had been levelled, but said Lal Singh has since expired as has been informed in the aforesaid report. As regards the remaining accused, the allegations are mainly to the effect that they had been harassing the petitioners for demand of dowry. In any case, since the parties are stated to have amicably resolved the issue, no purpose would be served by forcing the petitioners to face prosecution, especially in view of the fact that the matter is basically an outcome of the matrimonial discord amongst the parties.

5. Having regard to the facts that the parties have amicably resolved their issues and in light of ratio of judgment of the Full Bench of this Court in 2007(3) RCR (Crl.) 1052 Kulwinder Singh and others Vs. State of Punjab, the petition is allowed and criminal complaint No.SC 99 of 2018 CNR No.PBRO01-004241-2018 under Sections 406, 316, 498-A, 506, 323, 376/511, 35, 120-B/34 IPC and all the consequent proceedings arising therefrom are hereby quashed qua the petitioners.

(GURVINDER SINGH GILL)
JUDGE

10.09.2019

Dinesh

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No