

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-25606-2020(O&M)

Date of Decision: 02.09.2020

Gurwinder Singh & another

.....Petitioners

Vs.

State of Punjab & anr.

.....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Ms. Sukhpreet Kaur, Advocate,
for the petitioners.

RITU BAHRI, J. (ORAL)

Quashing of FIR No.0022 dated 14.03.2019, under Sections 406/498-A/506 IPC, registered at Police Station Women District Patiala (Annexure P-1) along with all consequential proceedings is sought on the basis of compromise dated 20.12.2019 (Annexure P-3).

The F.I.R was registered on the basis of complaint made by Gurpreet Kaur-respondent No.2 to the effect that her marriage was solemnized with Gurwinder Singh-petitioner No.1 in the year 2018. Soon after the marriage, she was harassed and humiliated by the petitioners on account of bringing insufficient dowry. In this background, the FIR was registered.

Learned counsel for the petitioners states that after registration of the aforesaid FIR, petitioner No.1 has applied for anticipatory bail. During the pendency of the said proceedings, with the intervention of respectable persons, the matter has been compromised between the parties.

In this regard complainant-Gurpreet Kaur-respondent No.2 has given her affidavit dated 13.08.2020 (Annexure P-5) by admitting the contents of compromise. After the compromise, petitioner No.1 and the complainant filed a joint petition under Section 13-B of Hindu Marriage Act, 1955 (for short 'the Act'), for dissolution of their marriage. During the pendency of the said petition, statements of both the parties were recorded to the effect that an amount of ₹8,00,000/- has to be given to the complainant by petitioner No.1 and ₹4,00,000/- have been given at the time of first hearing.

Notice of motion.

On the asking of the Court, Mr. Hittan Nehra, Addl.AG, Punjab, accepts notice on behalf of respondent-State.

Ms. Simranjeet Kaur, Advocate, has put in appearance for the complainant and accepts notice. She states that the compromise dated 20.12.2019 (Annexure P-3) has been effected between the parties and the complainant has received ₹4.00 lakh at the time of first hearing of divorce petition.

Learned State counsel, on instructions from ASI Baljinder Singh, informs that final report has been given on the cancellation report by SSP on 10.08.2020 and petition under Section 13-B of the Act is pending for 20.10.2020.

A perusal of the compromise deed dated 20.12.2019 (Annexure P-3) and affidavit dated 13.08.2020 (Annexure P-5) shows that the compromise has been effected voluntarily, without any pressure, coercion and with free will of the parties. They have no objection if the F.I.R. (Annexure P-1) is quashed.

Keeping in view the prevailing COVID-19 situation and the fact that the compromise has been effected between the parties vide compromise deed dated 20.12.2019 (Annexure P-3), whereby they have decided to get the F.I.R. quashed, it is a fit case where there is no impediment in the way of the Court to exercise its inherent powers under Section 482 Cr.P.C for quashing of F.I.R in the interest of justice. Consequently, in view of the judgments passed by the Hon'ble Supreme Court in *Madan Mohan Abbot vs. State of Punjab* 2008(4) S.C.C. 582 and the law laid down by the Full Bench of this Court in the case of *Kulwinder Singh and Ors. vs. State of Punjab and another* 2007(3) RCR (CrI.) 1052, no useful purpose would be served in prolonging the litigation.

Accordingly, FIR No.0022 dated 14.03.2019, under Sections 406/498-A/506 IPC, registered at Police Station Women District Patiala (Annexure P-1) is quashed with all consequential proceedings arising therefrom qua the petitioners.

The petition stands disposed of accordingly.

(RITU BAHRI)
JUDGE

02.09.2020
monika

Whether speaking/reasoned *Yes/No*

Whether reportable *Yes/No*