

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

287

CRM-M-37119-2022
Date of decision : 20.04.2023

Naresh Kumar Midda and Ors.

..... Petitioners

V/S

Jasbir Kaur and Ors.

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Ms. Rishma Verma, Advocate for the petitioners.

Mr. M.S.Joshi, Addl. A.G. Punjab.

Mr. Anil Kumar Spehia, Advocate for respondents No.1 to 3.

AMARJOT BHATTI J. (ORAL)

The petitioners- Naresh Kumar Midda, Karnail Chand, Satya and Parshotam Lal have filed the instant petition under Section 482 of Cr.P.C. for quashing of Complaint No. COMI/31543/2013 dated 23.09.2011, under Sections 406, 498-A, 323, 324, 506, 148, 149, 120-B of IPC, summoning order dated 23.10.2014 and all other subsequent proceedings on the basis of compromise between the parties dated 31.05.2022 (Annexure P-3).

As per the facts of the case, the complainant – Jasbir Kaur filed a complaint under Sections 406, 498-A, 323, 324, 506, 148, 149, 120-B of IPC against Naresh Kumar Midda and others alleging that she got married with Naresh Kumar Midda on 02.11.2008. The accused No.5-Bakshi Ram was a middle man.

Her parents had performed marriage with great pomp and show and sufficient

dowry was given worth Rs.4-5 lacs. The accused were unhappy with the dowry articles. After one year she gave birth to a son. Her parents had given customary gifts on the birth of the child. The accused compelled her and her parents to give Rs.1 lac. She was treated with cruelty in the matrimonial home. She has narrated various incidents which took place in the matrimonial home. Ultimately, she filed the complaint in which summoning order was passed on 23.10.2014 (Annexure P-2).

The petitioners filed this petition for the quashing of aforesaid complaint on the basis of compromise. The petitioners and respondents No 1 to 3 were directed to appear before the trial Court/Illaq Magistrate for recording their statements on the basis of compromise. The detailed report regarding compromise has been received from the court of Judicial Magistrate 1st Class, Jalandhar dated 19.04.2023. The statement of respondents No.1 to 3 has been recorded, where they confirmed the compromise with the petitioners. They confirmed that this compromise has been effected without any pressure, coercion from any side and they have no objection regarding quashing of FIR.

The petitioners-Naresh Kumar Midda, Karnail Chand, Satya and Parshotam Lal have also confirmed this fact in their separate statement.

Therefore, from the report of Judicial Magistrate 1st Class, Jalandhar, it is clear that the compromise has been effected between the parties without any pressure, coercion or undue influence, which is acceptable to both the parties. It is further confirmed that the accused are neither involved in any other case nor have been declared as proclaimed offenders. They have mutually settled all their disputes. They will be able to live in peace and harmony. It will end all litigation

started between them. No purpose would be served with the continuation of criminal proceedings.

Therefore considering these facts the petition filed by the petitioners is accepted and Complaint No. COMI/31543/2013 dated 23.09.2011, under Sections 406, 498-A, 323, 324, 506, 148, 149, 120-B of IPC, summoning order dated 23.10.2014 and the consequential proceedings arising therefrom are quashed.

Accordingly, the present petition stands accepted.

(AMARJOT BHATTI)
JUDGE

20.04.2023
Sunil Devi

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No