
(2009) 04 P&H CK 0123
In the Punjab And Haryana At Chandigarh

Yogesh Kumar Verma and Others

APPELLANT

Vs

State of Punjab and Others

RESPONDENT

Date of Decision : 21-04-2009

Acts Referred:

Criminal Procedure Code, 1973 (CrPC) — Section 482
Hindu Marriage Act, 1955 — Section 13B
Penal Code, 1860 (IPC) — Section 323, 34, 406, 498A, 506

Citation : (2009) 04 P&H CK 0123

Hon'ble Judges : Kanwaljit Singh Ahluwalia, J

Bench : Single Bench

Judgement

Kanwaljit Singh Ahluwalia, J.—The present petition has been filed u/s 482 Cr.P.C. seeking quashing of case FIR No. 12 dated 9.1.2009 registered at Police Station Division No. 4, Jalandhar under Sections 323, 498-A, 406, 506, 34 IPC on the basis of compromise Annexure P2.

2. In the present case, FIR was lodged by respondent No. 2 Bal Kishan father of Kamini Verma respondent No. 3. Kamini Verma respondent No. 3 was married with petitioner No. 1 Yogesh Kumar on 22.11.2008. It is stated in the FIR that Kamini Verma was harassed by father-in-law Manohar Lal, mother-in-law Arihant and Isha sister-in-law of respondent No. 3. It is stated that on account of bringing insufficient dowry, Kamini Verma daughter of complainant Bal Kishan was harassed and maltreated. Quashing of FIR has been sought on basis of compromise which has been annexed as Annexure P2 with the present petition.

3. Mr.Ashish Pal Kaushal, Advocate has caused appearance on behalf of respondents No. 2 and 3 and filed reply on their behalf. In the reply filed, both the respondents have admitted the factum of compromise. Kamini Verma is present in Court. She has been identified by her counsel Mr.Ashish Pal Kaushal. She has stated that it has been agreed to pay Rs. 6.25 lacs towards permanent alimony, maintenance and Istridhan and expenses incurred on the marriage. She has further stated that she has received Rs. 3.25 lacs by way of banker"s

cheque, details of which have been given in para 2 of the compromise. She further stated that she will receive the remaining amount of Rs. 3 lacs after the divorce is granted. It is stated that divorce petition is pending in the Court of Additional District Judge, Jalandhar. It is stated that when divorce u/s 13-B of the Hindu Marriage Act will be granted, remaining amount of Rs. 3 lacs will be paid to the respondent. Bal Kishan father of estranged wife is also present in Court. Both have stated that they do not want to pursue the present FIR and the same may be quashed.

4. It has been held by the Hon"ble Apex Court in B.S. Joshi v. State of Haryana 2003(2) RCR (Criminal) 888 and a Full Bench judgment of this Court in Kulwinder Singh and Ors. v. State of Punjab and Anr. 2007(3) RCR (Criminal) 1052 that if a matrimonial dispute has been resolved, no useful purpose would be served by continuing with the criminal proceedings. Taking into consideration the ratio of law in B.S. Joshi's case (supra) and Kulwinder Singh's case (supra), the impugned FIR along with all subsequent proceedings is quashed.

5. Petition is disposed off.