

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

CRM-M-10402-2022

Date of Decision:- 16.11.2022

NARINDER KUMAR AND ORS.

....Petitioners.

Vs.

STATE OF PUNJAB & ANR.

...Respondents

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Ravinder Singh, Adv. for the petitioners.

Mr. Kunwarbir Singh, Assistant A.G. Punjab.

Mr. Amarinder Singh, Adv. for respondent No.2.

AMARJOT BHATTI, J. (Oral)

The petitioners have filed the instant petition under Section 482 Cr.P.C. for quashing of the FIR No.81 dated 08.08.2016 under Sections 406/498-A/34 IPC, registered at Women Police Station, Patiala and subsequent proceedings arising therefrom.

As per facts of the case, FIR has been registered on the written complaint of Aditi daughter of Ashok Kumar against Narinder Kumar and Others. It is alleged that she got married with Narinder Kumar on 01.10.2014. The marriage was performed as per the demand of accused

persons. She was given gold ornaments, silver ornaments, cash of Rs. 60,000/- for purchase of household articles and other furniture items were given as per demand. Her parents had spent 5 lacs on the marriage. She was earlier married with one Robin in November 2009 and their marriage was dissolved in August 2012 with their mutual consent, therefore she has agreed to marry with physically challenged boy. After marriage, she was ill treated by her husband and in-laws family. She became pregnant and the abortion was got done against her wishes. She was ill treated in the matrimonial home by saying that she was not mentally sound and that she did not know the household work. A Panchayat was also convened in October 2015. She was sent to her parents house, thereafter, they kept on talking on phone and the matter could not be reconciled. A panchayat was also convened later on, her husband demanded money in the shape of loan of 20-30 lacs from her parents. She prayed legal action against the accused. After investigation, the present FIR was registered

Notice of petition was given to the respondents. The respondent No. 2 appeared and admitted the fact of compromise arrived at between the parties. Both the parties were directed to appear before the trial Court/Illaq Magistrate for recording of their statements on the factum of compromise. The detailed report dated 12.8.2022 has been received from the Court of Judicial Magistrate First Class Patiala.

As per this report, the statement of Aditi, on the one hand, and the statements of the petitioners on the other hand, were recorded in which both the parties confirmed the compromise deed Exhibit CX. They confirmed that this compromise has been affected voluntarily without

coercion and undue influence and it will improve their relations. The statement of ASI Sukhpreet Singh Investigating Officer is also recorded who confirmed that apart from the petitioners there is no other accused in the aforesaid FIR. The learned Judicial Magistrate First Class Patiala concluded that the compromise has been affected between the parties with their free consent.

Learned counsel representing the State has not disputed the compromise arrived at between the parties.

I have heard argument advanced by learned counsel for both the parties and have gone through the record carefully. In the case in hand on the written statement of Aditi, FIR No. 81 dated 8.8.2016 was registered under Section 406, 498A, 34 IPC Women Police Station Patiala. The matter has been compromised between the parties with the intervention of their relatives. The copy of compromise deed placed on record as Exhibit CX. From the contents of this compromise it is clear that the parties have decided to dissolve their marriage with mutual consent and in this regard they have already filed their petition under Section 13B of Hindu Marriage Act. The statements of complainant/respondent No. 2 and the statements of petitioners/accused it is clear that they have settled all their disputes amicably. No purpose would be served to pursue the criminal litigation started on the written complaint of respondent No.2. This compromise will enable the parties to live in peace and harmony and further litigation will also be avoided. Apart from this, both the complainant and the petitioner No.1 will be able to start their life afresh. Therefore, considering these facts, the petition filed by the petitioner under

Section 482 Cr.P.C. for quashing of the FIR No.81 dated 08.08.2016 under Sections 406/498-A/34 IPC, registered at Women Police Station, Patiala and subsequent proceedings arising therefrom are quashed.

The petition stands allowed.

16.11.2022
mohit

(AMARJOT BHATTI)
JUDGE

Whether the speaking/reasoned:- Yes/No
Whether the reportable:- Yes/No