

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

**CRM-M-15119-2022 (O&M)**

**Date of Decision: 25.08.2022**

**SAURAV NARULA**

**... PETITIONER**

**V/S**

**STATE OF PUNJAB AND ANOTHER**

**... RESPONDENTS**

**CORAM: HON'BLE MR. JUSTICE VIVEK PURI**

Present: Mr. Suvir Kumar, Advocate for the petitioner.

Mr. Hittan Nehra, Addl. A.G. Punjab.

Mr. Vipin Kumar, Advocate for  
Mr. B.R.Rana, Advocate for respondent No.2.

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**VIVEK PURI, J. (ORAL)**

Present petition under Section 482 Cr.P.C. is for quashing of FIR No. 95 dated 30.12.2020 registered under Section 498-A of the Indian Penal Code at Police Station Women Cell, District Ludhiana and all the consequential proceedings arising therefrom, on the basis of compromise (Annexure P-2).

On 08.04.2022, the parties were directed to appear before the Trial Court and get their statements recorded with regard to the compromise arrived at between them. The Trial Court was directed to record the statements of all the concerned and sent its report regarding genuineness of the compromise.

In compliance of the order dated 08.04.2022, learned Judicial Magistrate Ist Class, Ludhiana has recorded the statements of the parties and

submitted the report, the relevant portion whereof reads as under:-

“1. It is respectfully submitted that as per the statement of Investigating Officer and report of the concerned Ahlmad, only petitioner/accused Saurav Narula is arraigned in the present FIR and he has not been declared Proclaimed Offender in this case nor any other case is pending against him.

2. Further, as per the statement of Investigating Officer, only respondent No.2 namely Ritika Narula is complainant/victim in the present FIR.

3. So, from the statements of the parties, it appears to the court that the parties have been compromised the matter out of their free Will, voluntarily, without any sort of pressure, coercion and fear.”

Learned counsel for the petitioner contends that the marriage of the petitioner was solemnized with respondent No.2 on 14.11.2019 but no child has been born from the wedlock. The matrimonial dispute has been amicably settled between the parties in terms of compromise dated 28.03.2022, Annexure P-2. The petitioner and respondent No.2 have instituted a petition under Section 13-B of Hindu Marriage Act for dissolution of marriage by mutual consent wherein the statements at the stage of first motion have been recorded. The petitioner shall pay a sum of Rs. 20 Lakhs on account of permanent alimony to respondent No.2 and a sum of Rs. 10 Lakhs has already been paid. The balance amount of Rs. 10 Lakhs shall be paid at the time of recording the statements at the stage of second motion. Both the parties shall withdraw the other cases instituted by them.

Learned counsel for respondent No.2 has acknowledged this fact and has stated that he has no objection if the aforementioned FIR is quashed.

After hearing learned counsel for the parties and going through the record of the case, this Court is of the considered opinion that it is a fit case for exercising the inherent jurisdiction of this Court under Section 482 Cr.P.C., so as to secure the ends of justice because the parties have arrived at a settlement, out of the Court, by way of compromise (Annexure P-2). The compromise is without any pressure and is a genuine one. In such a situation, continuation of the prosecution would result in sheer abuse of process of law.

The controversy in the instant case does not indicate that the same involves heinous or serious offences and furthermore, the matrimonial dispute has been sought to be amicably settled. Consequently, a deserving case is made out where the Court should exercise the power to secure the ends of justice.

For the aforesaid view, this Court finds support from ***Kulwinder Singh and others Vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052***, upheld by Hon'ble Apex Court in ***Gian Singh Vs. State of Punjab and others (2012) 10 SCC 303***.

Accordingly, the present petition is allowed and FIR No. 95 dated 30.12.2020 registered under Section 498-A of the Indian Penal Code at Police Station Women Cell, District Ludhiana and all the consequential proceedings arising therefrom are quashed qua the petitioner only.

25.08.2022

Janki

(VIVEK PURI)  
JUDGE

*Whether speaking/reasoned : Yes/No*  
*Whether reportable : Yes/No*