

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

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CRM-M-17932-2022

Date of decision : 23.11.2022

Gaurav Kumar and Anr.

..... Petitioners

V/S

State of Punjab and Anr.

..... Respondents

CORAM : HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present: Mr. Gaurav Jain, Advocate
for the petitioners.

Mr. R.S. Khaira, DAG Punjab

Mr. Rahul Vohra, Advocate for
Mr. Avikaran Bansal, Advocate
for respondent No.2.

AMARJOT BHATTI J. (ORAL)

The petitioners- Gaurav Kumar and Kamlesh Kumari have filed the instant petition under Section 482 of Cr.P.C. for quashing the the FIR No.20 dated 27.08.2012 registered under Sections 406, 498-A of IPC at Police Station Women Patiala, District Patiala and all other subsequent proceedings arising therefrom, on the basis of compromise between the parties .

As per the facts of the case, the present FIR was registered on the statement of Parveen Sood-complainant against her husband- Gaurav and others regarding physical torture and harassment for bringing less dowry. She alleged that her marriage was performed with Gauran on 05.12.2011 and her parents had spent huge money on her marriage beyond their capacity. She was given sufficient dowry, she is

a well educated girl and is in Government service. Soon after marriage her in-laws started pressurizing her to bring a car for her husband. Her parents refused to satisfy this demand and on this the attitude of her in-laws family changed altogether. She was beaten up, on 24.02.2012, she was turned out of the house by saying to bring a car otherwise she was not permitted to enter the matrimonial home. The parents of the complainant convened a Panchayat to make them understand. Even then her in-laws started beating her. The matter was reported to the police, the matter also came up before Incharge Women Counseling cell Patiala, ultimately the present FIR was registered.

The petitioners filed this petition for the quashing of aforesaid FIR on the basis of compromise. The petitioners and respondent No.2 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 the court of Judicial Magistrate, 1st Class, Patiala dated 30.08.2022. The statement of complainant-Parveen Sood has been recorded, where she confirmed the compromise with the petitioners. She confirmed that this compromise has been effected without any pressure, coercion from any side and she has no objection regarding quashing of FIR.

The petitioners also confirmed this fact in their separate statement. The statement of SI Gurjit Kaur is also recorded who further confirmed that the accused are not involved in any other case nor have been declared as proclaimed offenders.

Therefore, from the report of Judicial Magistrate, 1st Class, Patiala, 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. This compromise would enable them to live in peace and harmony. They have mutually settled all their disputes. It will also prevent future litigation. No purpose would be served with the continuation of criminal proceedings.

Therefore, considering these fact the petition filed by the petitioners is accepted and the FIR No.20 dated 27.08.2012 registered under Sections 406, 498-A of IPC at Police Station Women Patiala, District Patiala and the consequential proceedings arising therefrom are quashed.

Accordingly, the present petition stands disposed of.

(AMARJOT BHATTI)
JUDGE

23.11.2022

Sunil Devi

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No