

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM-M-18833-2022

Date of decision : 14.12.2022

Vishal Chauhan and Ors.

..... Petitioners

V/S

State of Haryana and Anr.

..... Respondents

CORAM : HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present: Mr. B.S.Mamli, Advocate, for the petitioners.

Ms. Deepshikha Chauhan, AAG, Haryana.

Mr. Ajay Chaudhary, Advocate for respondent No.2.

AMARJOT BHATTI J. (ORAL)

The petitioners- Vishal Chauhan, Kanwar Pal Singh and Suresh Chauhan have filed the instant petition under Section 482 of Cr.P.C. for quashing of FIR No.0357 dated 01.11.2016, registered under Sections 323, 376, 498-A, 506, 511 of IPC (Section 376 and 511 of IPC were deleted and Section 406 of IPC was added later on) at Police Station Nissing, District Karnal and all the subsequent proceedings arising therefrom, on the basis of compromise between the parties.

As per the facts of the case, the complainant-Jyoti filed a written complaint against her husband-Vishal Chauhan and others for maltreatment on account of demand of dowry and for having illicit relations. The complainant submitted that she got married with

articles by spending huge amount. She started residing in the matrimonial home. Initially the behaviour of her husband and in-laws family was good, but thereafter, they started taunting her for bringing less dowry. During this period, she gave birth to a daughter. She was again taunted for giving birth to a daughter. The behaviour of her husband and in-laws family was harsh towards her. They raised demand of Rs.1 lac from her parents, as her husband was in need of money. She has mentioned different amounts which were given to her husband and in-laws family from time to time. Ultimately, she was beaten up on 25.05.2016 and her parents came on 30.05.2016 to make her in-laws family understand. They insulted her family and refused to return the dowry articles. With these allegations, present FIR has been 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 court of Additional Chief Judicial Magistrate, Karnal dated 11.10.2022. The statement of complainant-Jyoti 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-Vishal Chauhan, Kanwar Pal Singh and Suresh Chauhan also confirmed this fact in their separate statement.

The statement of SI Ajaib Singh is also recorded who further confirmed

that the accused are neither involved in any other case nor have been declared as proclaimed offenders.

Therefore, from the report of Additional Chief Judicial Magistrate, Karnal 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. They have mutually settled all their disputes. Now they will be able to live peacefully and future litigation will also come to an end. Therefore, no purpose would be served with the continuation of criminal proceedings.

Therefore considering these facts the petition filed by the petitioners is accepted and FIR No.0357 dated 01.11.2016, registered under Sections 323, 498-A, 506 of IPC (Section 406 of IPC was added later on) at Police Station Nissing, District Karnal and the consequential proceedings arising therefrom are quashed.

Accordingly, the present petition stands disposed of.

(AMARJOT BHATTI)
JUDGE

14.12.2022

Sunil Devi

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No