

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM-M-31705-2022

Date of decision : 12.12.2022

Abhimanyu S. Panchal

..... Petitioner

V/S

State of Haryana and Anr.

..... Respondents

CORAM : HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present: Mr. A.K. Jindal, Advocate, for the petitioner.

Ms. Deepshikha Chauhan, AAG, Haryana.

Mr. Gopal Soni, Advocate for respondent No.2.

AMARJOT BHATTI J. (ORAL)

The petitioner- Abhimanyu S. Panchal has filed the instant petition under Section 482 of Cr.P.C. for quashing of FIR No.106 dated 24.10.2020, registered under Sections 498-A, 406, 506, 323, 34, 376(2) (n), 377 of IPC at Police Station Women West, Gurugram, District Gurugram in which the offence under Section 376(2) and 377 of IPC stood deleted and all the subsequent proceedings arising therefrom, on the basis of compromise between the parties.

The facts of the case are that the complainant-Ruchi Panchal filed a written complaint against her husband and in-laws family regarding the maltreatment given to her in the matrimonial home. It is alleged that she got married on 27.11.2015 with great pomp and show, huge money was spent at the time of marriage. She was given dowry articles which are detailed in the list. Her in-laws were

unhappy with the articles given at the time of marriage. She was a working lady and explained to her mother-in-law that she can purchase articles from her own salary. Her husband used to withdraw her entire salary. He was expecting a car in the marriage. He failed to fulfill his matrimonial obligations. Her parents had already spent Rs. 25 lacs on marriage. Therefore, they were not in a position to give a car. The complainant has levelled serious allegations against Yashmin Panchal, her brother-in-law. She has narrated various incidents of maltreatment and mis-behaviour, which she had received in the matrimonial home. They were raising demand of Rs. 50 lacs. During this period, she gave birth to a daughter. There was no change in the behaviour of her husband and in-laws family. She was black-mailed by her brother-in-law. Ultimately, she was turned out of the house by giving her beating. The matter could not be reconciled. Ultimately, the present FIR was registered.

The petitioner filed this petition for quashing of aforesaid FIR on the basis of compromise. The petitioner 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 dated 09.08.2022 regarding compromise has been received from the the court of Judicial Magistrate First Class Gurugram. The statement of complainant-Ruchi Panchal has been recorded, where she confirmed the compromise with the petitioner. 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 petitioner-Abhimanyu S. Panchal also confirmed this fact in his separate statement. The statement of ASI Renu Kumari is

also recorded who further confirmed that the accused is neither involved in any other case nor has been declared as proclaimed offender. The learned State counsel has filed status report which is taken on record.

Therefore, from the report of Judicial Magistrate First Class Gurugram, 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 petitioner is accepted and FIR No.106 dated 24.10.2020, registered under Sections 498-A, 406, 506, 323, 34 of IPC at Police Station Women West, Gurugram District Gurugram and the consequential proceedings arising therefrom are quashed.

Accordingly, the present petition stands disposed of.

(AMARJOT BHATTI)
JUDGE

12.12.2022
Sunil Devi

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No