

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

302

**CRM-M-2707-2023
Date of decision : 11.04.2023**

Rohit Kumar and Ors.

..... Petitioners

V/S

State of Haryana and Anr.

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. K.L.Saini, Advocate
for the petitioners.

Ms. Deepshikha Chauhan, AAG, Haryana.

Mr. Himanshu Chhabra, Advocate for respondent No.2.

AMARJOT BHATTI J. (ORAL)

The petitioners- Rohit Kumar, Krishan Kumar and Sunita Sharma have filed the instant petition under Section 482 of Cr.P.C. for quashing of FIR No.0023 dated 19.07.2019, under Sections 323, 406, 498-A of IPC, registered at Women Police Station Naraingarh, District Ambala and all other subsequent proceedings on the basis of compromise between the parties dated 29.11.2022 (Annexure P-2).

As per the facts of the case, the complainant –Shalini filed a complaint against her husband Rohit Kumar and others alleging that her marriage was fixed for 24.02.2016. All the arrangements were made by her parents and her father-in-law told that Rohit Kumar could not get leave from Dubai and the

marriage was again fixed for 02.03.2016. Her parents had already spent Rs.5 lacs in making arrangements. However, the marriage was solemnized on 02.03.2016. Her parents had given a motorcycle, gold ornaments and other gifts including household articles. At the instance of her husband, her father again purchased another motorcycle Bajaj C.T.100 at Naraingarh. The behaviour of accused was not good towards her. They were unhappy with the dowry articles. She told the accused persons that her parents had spent Rs.20/30 lacs on her marriage which was beyond their capacity. They started harassing her. Her husband wanted to go back to Dubai and required Rs.10 lacs. She was compelled to bring this money from her parental house. Ultimately her father transferred Rs.2,50,000/- on 08.09.2018 in the account of accused Rohit Kumar, even then he was unsatisfied. Her father met her in-laws on 20.08.2018 but they insisted on their previous demand. All the accused persons gave her beating and tortured her. She was turned out of the house on 16.10.2018. Ultimately, the 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 Judicial Magistrate 1st Class, Naraingarh dated 08.02.2023. The statement of respondent No.2 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- Rohit Kumar, Krishan Kumar and Sunita Sharma have also confirmed this fact in their separate statement. The statement of ASI Saroj Devi 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 Judicial Magistrate 1st Class, Naraingarh, 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 matrimonial disputes. They have also filed joint petition under Section 13-B of Hindu Marriage Act in which first motion statements have been recorded. Thereafter, they will be able to live in peace and harmony. 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.0023 dated 19.07.2019, under Sections 323, 406, 498-A of IPC, registered at Women Police Station Naraingarh, District Ambala and the consequential proceedings arising therefrom are quashed.

Accordingly, the present petition stands accepted.

(AMARJOT BHATTI)
JUDGE

11.04.2023.
Sunil Devi

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No