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

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Date of decision : 29.05.2023

Kamal Goldy and Others

..... Petitioners

Versus

State of Punjab and Another

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. Vipin Mahajan, Advocate
for the petitioners.

Mr. Vinay Kumar Gupta, AAG Punjab.

Mr. Vishal Munjal, Advocate
for respondent No. 2.

AMARJOT BHATTI J. (ORAL)

The petitioners – Kamal Goldy, Jaskaran Pal and Kavita have filed the instant petition under Section 482 of Cr.P.C. for quashing of FIR No. 07 dated 05.01.2023 under Section 498-A, 323, 34 of I.P.C. registered at Police Station City Gurdaspur, District Gurdaspur, Punjab (Annexure P-1) on the basis of compromise between the petitioners and respondent No. 2.

The facts of the case are that complainant – Ritika filed complaint against her husband Kamal Goldy alias Cheeku and others alleging that her marriage was solemnized with Kamal Goldy alias Cheeku about two years ago. Her parents had spent money as per their capacity. After marriage, she was harassed and taunted by her in-laws family on account of demand of dowry. The members of in-laws family used to interfere in her married life. She was beaten up

several times but she did not disclose this fact to her parents. Her marriage is two years old but there is no child out of this wedlock. Her in-laws family taunted her for not giving birth to a child. On 18.07.2022, she was beaten up by her in-laws and they tried to kill her. She was saved by the neighbours and her brother. A complaint was also filed with the police. She was admitted in Civil Hospital by her parents. She was continuously maltreated in the matrimonial home on account of their demands. Ultimately, she filed this complaint, on the basis of which present FIR has been registered.

The petitioners have 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 Illaqa/Duty Magistrate for recording their statements on the basis of compromise. The detailed report regarding compromise has been received from the Court of Chief Judicial Magistrate, Gurdaspur dated 04.03.2023. The statement of respondent No. 2 has been recorded, where she confirmed the compromise with the petitioners. She submitted that she does not want to pursue the present FIR against the petitioners/accused persons. The compromise has been arrived at without any coercion or undue influence. She lastly submitted that she has no objection regarding quashing of FIR in pursuance of their compromise.

The petitioners also confirmed this fact in their separate statements. The statement of ASI Jaswant Singh was also recorded who further confirmed that the accused persons were neither involved in any other case nor declared proclaimed offender(s)/persons.

Therefore, from the report of Chief Judicial Magistrate, Gurdaspur, 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.

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They have mutually settled all their disputes. Since, the private parties in the present petition are residing together, therefore, no purpose would be served with the continuation of criminal proceedings.

Therefore, considering these facts, the petition filed by the petitioners – Kamal Goldy, Jaskaran Pal and Kavita is accepted and FIR No. 07 dated 05.01.2023 under Section 498-A, 323, 34 of I.P.C. registered at Police Station City Gurdaspur, District Gurdaspur, Punjab and all the consequential proceedings arising therefrom are quashed.

Accordingly, the present petition stands accepted.

(AMARJOT BHATTI)
JUDGE

29.05.2023
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Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No