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

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Date of decision : 28.04.2023

Mangal Sain

..... Petitioner

Versus

State of Haryana and Another

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. Deepanshu Sharma, Advocate for
Mr. Harpinder Singh Jalal, Advocate for the petitioner.

Ms. Deepshikha Chauhan, Asst. A.G. Haryana.

Mr. Sandeep Punchi, Advocate for respondent No. 2.

AMARJOT BHATTI J. (ORAL)

The petitioner – Mangal Sain has filed the instant petition under Section 482 Cr.P.C. for quashing of FIR No. 858 dated 03.09.2018 under Section 323, 377, 406, 498-A, 506 of IPC, registered at Police Station City Sirsa, District Sirsa and all its proceedings in pursuance thereto, on the basis of compromise.

The facts of the case are that the complainant – Anupam filed written complaint to the police against her husband and in-laws family alleging that her marriage was performed with Mangal Sain on 05.08.2012. Out of this wedlock, she gave birth to a daughter and a son. The daughter is residing with the father and son is residing with her. Her parents had spent Rs. 8 lacs on marriage. She and her in-laws family were given gold ornaments, blankets, shagun and other customary gifts. At the time of marriage, she was working as JBT Teacher in village Bakriwali Sirsa. Soon after marriage, she was being harassed by the accused

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alleging that the dowry articles brought by her were of inferior quality. She was being insulted and ill-treated in the matrimonial home as they were expecting a car. There was no change in their behaviour. Her entire salary was received by her husband. She was turn out of the house after beating her when their demand was not satisfied. They started raising demand for i20 car in the year 2015. Her family had given various amounts under pressure. Thereafter, they started raising demand for cash of Rs. 10 lacs. Ultimately, she was beaten up on 02.01.2018 and was turn out of the matrimonial home. The complaint was filed. The matter was investigated and the present FIR was registered.

Status report was filed by the respondent – State.

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/Illaqa Magistrate for recording their statements on the basis of compromise. The detailed report regarding compromise has been received from the Court of learned Judicial Magistrate First Class, Sirsa dated 17.04.2023. The statement of respondent No. 2 has been recorded, where she confirmed the compromise with the petitioner. She confirmed that this compromise has been effected voluntarily, with her free will and is not the result of any fraud or misrepresentation. She further stated that she alongwith her husband is living together and she has no objection regarding quashing of FIR.

The petitioner Mangal Sain has also confirmed this fact in his separate statement. The statement of ASI Urmila Devi, No. 1255 is also recorded who further confirmed that the accused is neither involved in any other case nor has been declared as proclaimed offender.

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Therefore, from the report of learned Judicial Magistrate First Class, Sirsa, 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 had also filed petition for dissolution of marriage under Section 13 of Hindu Marriage Act. However, the said petition was withdrawn by the petitioner as per order dated 23.09.2022. The copy of order is Annexure P-4. Since, the petitioner and respondent No. 2 are living together, therefore, no purpose would be served with the continuation of criminal proceedings.

Therefore, considering these facts, the petition filed by the petitioner – Mangal Sain is accepted and FIR No. 858 dated 03.09.2018 under Section 323, 377, 406, 498-A, 506 of IPC, registered at Police Station City Sirsa, District Sirsa and all its proceedings in pursuance thereto, on the basis of compromise are quashed.

Accordingly, the present petition stands accepted.

(AMARJOT BHATTI)
JUDGE

28.04.2023

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