

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

275

CRM-M-7891-2023

Date of decision : 17.05.2023

Sukhdev Raj

..... Petitioner

V/S

State of Punjab and Anr.

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. Navraj Singh, Advocate
for the petitioner.

Mr. M.S.Joshi, Addl. A.G. Punjab.

Mr. Lakhvir Kumar, Advocate for respondent No.2.

AMARJOT BHATTI J. (ORAL)

The petitioner-Sukhdev Raj has filed the instant petition under Section 482 of Cr.P.C. for quashing of FIR No.118 dated 29.07.2014 under Sections 406, 498-A of IPC, registered at Police Station Mataur, District Mohali, impugned judgment dated 10.04.2019 passed by learned JMIC SAS Nagar, Mohali and all other subsequent proceedings on the basis of compromise between the parties dated 29.10.2021 (Annexure P-4).

As per the facts of the case, the complainant –Sangeeta Rani filed written complaint alleging that her marriage was performed with Sukhdev Raj on 11.02.2008. Her parents had given dowry articles as per their financial capacity.

Soon after marriage, her husband and in-laws family started harassing her for bringing less dowry. After about 10 days, she was beaten up in the matrimonial home. She tried to adjust in the new atmosphere. After some time her in-laws family started raising demand for a car. Her parents arranged Rs.50,000/- in cash to save her matrimonial home. However, they continued with their demand of car. Her maternal uncle who was residing abroad came and gave Rs.1 Lac in cash to her sister-in-law and cheque of Rs.1 Lac to her brother-in-law and told them to buy a car. For some time her in-laws family stopped harassing her but they again raised demand for Rs.5 Lacs from her maternal uncle. A Panchayat was also convened to settle the dispute. Ultimately, the present complaint was filed and the FIR was registered.

The petitioner-Sukhdev Raj was convicted in the aforesaid FIR by the learned trial Court on 10.04.2019 (Annexure P-2) by imposing fine of Rs.1000/- with one year simple imprisonment, under Section 498-A of IPC. Thereafter, he filed appeal (Annexure P-3), which is pending before learned Additional Sessions Judge, S.A.S., Nagar, Mohali.

The petitioner filed this petition for the quashing of aforesaid FIR in which he has been convicted vide judgment dated 10.04.2019 on the basis of compromise. The petitioner and respondent No.2 were directed to appear before the appellant Court for recording of their statements on the basis of compromise. The detailed report regarding compromise has been received from the court of Additional Sessions Judge, S.A.S.Nagar, Mohali dated 03.04.2023. 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 without any

pressure, coercion from any side and she has no objection regarding quashing of FIR.

The petitioner-Sukhdev Raj has also confirmed this fact in his separate statement. The statement of ASI Lakhwinder Kumar is also recorded who further confirmed that the accused is neither involved in any other case nor has been declared as proclaimed offender.

Therefore, from the report of Additional Sessions Judge, S.A.S.Nagar, Mohali, 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 the disputes and started living together. They will be able to live in peace and harmony. It will end the litigation started between them. 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.118 dated 29.07.2014 under Sections 406, 498-A of IPC, registered at Police Station Mataur, District Mohali, impugned judgment dated 10.04.2019 passed by learned JMIC SAS Nagar, Mohali and the consequential proceedings arising therefrom are quashed.

Accordingly, the present petition stands accepted.

(AMARJOT BHATTI)
JUDGE

17.05.2023.
Sunil Devi

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