

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

289

CRM-M-7036-2023
Date of decision : 01.05.2023

Gulshan Kuman and Ors.

..... Petitioners

V/S

State of Punjab and Anr.

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. Vishal Sharma, Advocate
for the petitioners.

Mr. Kunwarbir Singh, Assistant A.G. Punjab.

Mr. J.S.Grewal, Advocate for respondent No.2.

AMARJOT BHATTI J. (ORAL)

The petitioners- Gulshan Kumar, Harmesh Kumari @ Ramesh Kumari and Shubhlata have filed the instant petition under Section 482 of Cr.P.C. for quashing of FIR No.51 dated 29.04.2021, under Sections 498-A, 109 of IPC, registered at Police Station Mahilpur, District Hoshiarpur and all other subsequent proceedings on the basis of compromise between the parties dated 02.02.2023 (Annexure P-2).

As per the facts of the case, the complainant – Monika filed written complaint against her husband Gulshan Kumar that she got married with him on 24.10.2011. They are having two children out of this wedlock. After about one year of marriage, her in-laws started harassing her for bringing less dowry. Her

parents helped her from time to time. In May, 2020 her husband gave her beating at the instance of her mother-in-law. She had also filed complaint with Women Cell, Una, Himachal Pradesh. The matter was settled there and no case was registered. Her husband had gone to Dubai without telling her. When she returned to her matrimonial home, she found that lock of her steel box was broken. She was physically and mentally harassed. With these allegations, the present FIR was registered.

Learned State counsel has filed status report, which is taken on record.

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, Garhshankar dated 04.03.2023. 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- Gulshan Kumar, Harmesh Kumari @ Ramesh Kumari and Shubhlata have also confirmed this fact in their separate statement. The statement of ASI Kulwant Singh 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, Garhshankar 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 all litigation started between them. 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.51 dated 29.04.2021, under Sections 498-A, 109 of IPC, registered at Police Station Mahilpur, District Hoshiarpur and the consequential proceedings arising therefrom are quashed.

Accordingly, the present petition stands accepted.

(AMARJOT BHATTI)
JUDGE

01.05.2023.
Sunil Devi

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