

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

285

CRM-M-8078-2023

Date of decision : 15.05.2023

HITESH ARORA AND ORS.

..... Petitioners

V/S

STATE OF HARYANA AND ANR.

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. M.J.S. Bedi, Advocate
for the petitioners.

Ms. Mayuri Lakhanpal, DAG, Haryana.

Mr. Sumit Kalyan, Advocate for respondent No.2.

AMARJOT BHATTI J. (ORAL)

The petitioners-Hitesh Arora, Subhash Chander Arora, Lata Arora and Ishita Arora have filed the instant petition under Section 482 of Cr.P.C. for quashing of FIR No.0093 dated 03.08.2017, under Sections 323, 498-A, 406, 506, 34 of IPC, registered at Police Station Bajghera District Gurugram and all other subsequent proceedings on the basis of compromise between the parties.

As per the facts of the case, the complainant –Priyanka Arora gave her statement that she got married with Hitesh Arora on 24.02.2011. Out of this wedlock she is having a daughter aged about four years. Soon after marriage, she was ill-treated by her husband and in-laws family for bringing less dowry. They even gave her beating. When she was on family way she was told to go to her

parental home for delivery. She gave birth to two twin daughters on 12.08.2013, out of which one child was born dead. Her in-laws were unhappy on the birth of daughter. She was left in the parental home. Her sister-in-law did not allow her to settle in the house. Her husband used to stay outside without telling her. They wanted to solemnize his second marriage. All her ornaments, dowry articles were in the possession of her in-laws. She was physically and mentally tortured. Her husband tried to press her neck with a scarf. The other family members also helped him. She ran out of the house to save herself. Ultimately, she filed the complaint, on the basis of which, 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, Gurugram dated 12.04.2023. 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- Hitesh Arora, Subhash Chander Arora, Lata Arora and Ishita Arora have also confirmed this fact in their separate statement. The statement of ASI Ahmad Azeem 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, Gurugram, 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 decree of divorce has been granted on 09.01.2023 (Annexure P-3). Now, they will be able to live independently in peace. 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.0093 dated 03.08.2017, under Sections 323, 498-A, 406, 506, 34 of IPC, registered at Police Station Bajghera District Gurugram and the consequential proceedings arising therefrom are quashed.

Accordingly, the present petition stands accepted.

(AMARJOT BHATTI)
JUDGE

15.05.2023.
Sunil Devi

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