

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

310

CRM-M-9100-2023

Date of decision : 30.05.2023

Kamal Verma

..... Petitioner

V/S

State of Punjab and Anr.

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

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

Mr. Vinay Kumar Gupta, AAG, Punjab.

Mr. Jasmeet Singh, Advocate for respondent No.2.

AMARJOT BHATTI J. (ORAL)

The petitioner- Kamal Verma has filed the instant petition under Section 482 of Cr.P.C. for quashing of FIR No.88 dated 27.04.2022, under Sections 406, 498-A of IPC, registered at Police Station Women, District Ludhiana and all other subsequent proceedings on the basis of compromise between the parties dated 31.01.2023 (Annexure P-2).

As per the facts of the case, the complainant – Simranpreet Kaur filed a written complaint against her husband Kamal Verma and others alleging that she got married with Kamal Verma on 15.06.2020. Her parents had given dowry articles at the time of her marriage, which were handed over to the members of her

in-laws family. Her parents had given gold rings, gifts and cash amount to the accused persons during different ceremonies. The dowry articles were given as per the financial status of her parents. Her parents had also agreed to pay her college fee as she was doing B.Pharm at the time of her marriage. Her parents had given refrigerator, washing machine, wooden almirah and had spent at least rupees three lacs in her marriage. However, her in-laws started harassing her as they were expecting more dowry. Her husband was busy with his mobile phone and he was chatting with somebody during odd hours. He used to consume liquor and indulged in unnatural sex with her. The behaviour of her husband was humiliating. Her mother-in-law used to taunt her. Her husband threatened her not to open her mouth. The accused No.5-Gaurav Kumar outraged her modesty. She was under constant physical and mental torture. Ultimately, she left the house on 22.08.2020 and since then she is living her parental house. Her parents had organized Panchayat and they tried to make them understand. They had refused to return her dowry articles. Ultimately, she filed the complaint and on the basis of which, the present FIR has been registered.

The petitioner filed this petition for the quashing of aforesaid FIR on the basis of compromise. The petitioner 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, Ludhiana dated 12.05.2023. 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-Kamal Verma also confirmed this fact in his separate statement. The statement of SI Meet Ram 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 Judicial Magistrate 1st Class, Ludhiana, 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 29.03.2023. Now they will be able to live independently in peace and harmony. 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.88 dated 27.04.2022, under Sections 406, 498-A of IPC, registered at Police Station Women, District Ludhiana and the consequential proceedings arising therefrom are quashed.

Accordingly, the present petition stands accepted.

(AMARJOT BHATTI)
JUDGE

30.05.2023.
Sunil Devi

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