

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

276

CRM-M-11800-2022

Date of Decision : 30.01.2023

Munish Katyal

..... Petitioner

V/S

State of Punjab and Anr.

..... Respondents

CORAM : HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present: Mr. Prateek Pandit, Advocate,
for the petitioner.

Mr. Hemant Aggarwal, AAG, Punjab.

Mr. I.P.S. Kohli, Advocate,
for respondent No.2.

AMARJOT BHATTI J. (ORAL)

The petitioner-Munish Katyal has filed the instant petition under Section 482 of Cr.P.C. for quashing of FIR No.184 dated 17.07.2019, registered under Sections 406, 498-A IPC at Police Station City Kapurthala, District Kapurthala and all other subsequent proceedings on the basis of compromise between the parties (Annexure P-2).

The brief facts of the case are that complainant- Samita Katyal filed a written complaint to the SHO, Women Cell, Sector 51, Gurgaon alleging that she is suffering domestic violence and mental depression on account of harassment caused to her by her husband, on account of demand of dowry. She alleged that every day she is being beaten up and maltreated by her husband. The matter was investigated. It was found that Samita Katyal got married with Munish Katyal. At the time of marriage her parents had given dowry beyond their capacity. After marriage she was harassed

and beaten up on account of their demand for a car. After investigation, the present FIR was 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/Illaqa Magistrate for recording their statements on the basis of compromise. The detailed report regarding compromise has been received from the court of Chief Judicial Magistrate, Kapurthala dated 28.04.2022. The statement of respondent No.2-Samita Katyal 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- Munish Katyal also confirmed this fact in his separate statement. The statement of ASI Harparshad 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 Chief Judicial Magistrate, Kapurthala 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. They have also filed joint petition under Section 13-B of Hindu Marriage Act in which decree of divorce has been granted on 23.08.2022. Thereafter, they will be able to live 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.184 dated 17.07.2019, registered under

Sections 406, 498-A IPC at Police Station City Kapurthala, District Kapurthala and the consequential proceedings arising therefrom are quashed.

Accordingly, the present petition is accepted.

(AMARJOT BHATTI)
JUDGE

30.01.2023
Sunil Devi

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