

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

124+281

CRM-M-13062-2022 (O&M)

Date of Decision: 14.02.2023

Brig A.K.S. Chauhan and Another

...Petitioners

Versus

State of Haryana and Another

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Bipin Ghai, Senior Advocate with
Mr. Nikhil Ghai, Advocate for the applicants-petitioners
Ms. Priyanka Sadar, AAG, Haryana

JAGMOHAN BANSAL, J. (ORAL)

CRM-7053-2023

Application for placing on record Annexure P-7 and Annexure P-8 is allowed. The said annexures are taken on record subject to just exceptions. Registry is directed to tag at appropriate place.

CRM stands disposed of.

CRM-M-13062-2022

The petitioners through instant petition under Section 482 Code of Criminal Procedure, 1973 are seeking quashing of FIR No.12 dated 25.02.2022 (Annexure P-1) under Sections 406, 498-A & 506 of Indian Penal Code, 1860 registered at Women Police Station Panchkula, District Panchkula and all consequent proceedings arising therefrom.

Mr. Bipin Ghai, learned senior counsel submits that parties have compromised the matter outside the country. They have filed

divorce petition before Circuit Court at Michigan (U.S.A). The marriage stands dissolved and all the dowry articles have been returned to the complainant. These facts stand recorded in the order passed by Competent Court at State of Michigan.

He further submits that Investigating Agency may be directed to consider decree of divorce as well as factum of return of all dowry articles and compromise arrived between the parties. In support of his contentions, he relies upon following paragraphs of judgment dated 19.01.2023 passed by Court at Michigan:-

“Mutual Resolution and release of all claims

It is further ordered and adjudged that the settlement terms contained in this Consent Judgment of Divorce shall fully satisfy any claim of any nature, that either party has or may have against the other in the United States and India, including but not limited to, dowry, harassment or other tortuous conduct, division of property and division of debts. The parties will terminate any pending litigation, or withdraw any pending legal complaints filed in India forthwith. Further, the parties agree that this Judgment resolves all issues incident to their divorce and that no subsequent divorce action will be filed in India.”

Learned State counsel fairly concedes that police authorities would look into the findings recorded by Court at Michigan and proceed accordingly.

In view of statement of learned State counsel, this Court is sanguine of the fact that police authorities would look into judgment passed by Court at Michigan and proceed accordingly.

The Investigating Officer is directed to look into the matter and do the needful expeditiously and preferably within three months from today.

Disposed of in above terms.

(JAGMOHAN BANSAL)
JUDGE

14.02.2023
Mohit Kumar

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>