

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

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CRM-M-39433-2017

Date of Decision : 01.02.2023

Nipun Sharma and Anr.

..... Petitioners

V/S

UT, Chandigarh and Anr.

..... Respondents

CORAM : HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present: Mr. J.S.Bagga, Advocate, for the petitioners.

Mr. Deepinder Brar, APP, U.T. Chandigarh.

Mr. Pawan Kumar, Advocate for respondent No.2.

AMARJOT BHATTI J. (ORAL)

The petitioners-Nipun Sharma and Rama Rani have filed the instant petition under Section 482 of Cr.P.C. for quashing of FIR No.95 dated 01.09.2017, registered under Sections 406, 498-A of IPC, at Women Police Station Chandigarh 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-Shweta Sharma filed a written complaint against Nipun Sharma and another alleging that her father suffered from paralytic attack in the year 1992 and remained under treatment from PGI, Chandigarh. The father of accused No.1 was also working in PGI. Her father came in contact with Vinod Walia. All of them were working in the same department in PGI. After the death of the father of accused No.1 in the year 2008, Vinod Walia and Gurmeet Singh who were friends of the father of accused No.1 approached the complainant. She was doing B.A 3rd Year through correspondence. She was also doing a job on contract in Government College of Commerce Business Administration, Section 42, Chandigarh. The marriage was settled with the intervention of

mediators. It was made clear that the complainant wanted to study ahead and she was not experienced in doing kitchen work. The accused persons gave assurance that after marriage she will not face any problem. The engagement ceremony took place on 25.05.2009. More than Rs.2 lacs were spent by her parents. The marriage ceremony took place on 22.08.2009 at Chandigarh and more than Rs.10 Lacs were spent on marriage ceremony. She was given huge dowry as mentioned in the FIR. All her jewellery was taken by accused No.2 for keeping it in a locker with the assurance that it will be given back to her as and when required. She had left her job prior to marriage on 31.05.2009 as it was on contractual basis. After marriage she was told to get a Government job so that she could earn money. She was taunted and maltreated in the matrimonial home. The accused persons also misbehaved with her family. The accused were expecting a car in the marriage. In February, 2010 she was pressurized to bring a luxury car from her parents. She was harassed even during her pregnancy. She gave birth to a girl child on 23.08.2010. The accused were again unhappy with the birth of a girl child. She has narrated the difficulties faced by her in the matrimonial home from time to time. They were raising demand of Rs.6/7 Lacs for a car. Thereafter, there are allegations that the accused were raising demand of Rs.20 Lacs. She gave birth to another girl child on 22.05.2014. The maltreatment in the matrimonial home continued. Ultimately she was compelled to live in her parental house. With these allegations, 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 First Class, Chandigarh dated 14.10.2022. The statement of respondent No.2- Shweta Sharma 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- Nipun Sharma and Rama Rani have also confirmed this fact in their separate statements. The statement of SI Satnarain 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 First Class, Chandigarh, 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 will be able to live in peace and harmony. It will also prevent future litigation. 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.95 dated 01.09.2017, registered under Sections 406, 498-A of IPC, at Women Police Station Chandigarh and the consequential proceedings arising there from are quashed.

Accordingly, the present petition stands accepted.

(AMARJOT BHATTI)
JUDGE

01.02.2023

Sunil Devi

Whether speaking/reasoned
Whether Reportable

: Yes/No
: Yes/No