

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

285

CRM-M-29465-2022

Date of Decision : 16.01.2023

Nikhil Goyal

..... Petitioner

V/S

State of Haryana and Anr.

..... Respondents

CORAM : HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present: Mr. Rose Gupta, Advocate,
for the petitioner.

Mr. G.G.S.Rai, DAG, Haryana.

Ms.Nitika Singla, Advocate,
for respondent No.2.

AMARJOT BHATTI J. (ORAL)

The petitioner-Nikhil Goyal has filed the instant petition under Section 482 of Cr.P.C. for quashing of FIR No.0084 dated 16.02.2020, registered under Sections 328, 377, 498-A, 506 IPC at Police Station Sector 53, Gurugram, District Gurugram and later on Challan dated 20.04.2021 presented before Ld. JMIC Gurugram only under Section 498-A and 506 IPC and all other subsequent proceedings on the basis of compromise between the parties (Annexure P-3).

The brief facts of the case are that complainant- Ankita gave her statement to the police that she was student of LLB second year and got married with petitioner-Nikhil Goyal on 16.07.2019. The family of petitioner did not know about this marriage. They started residing in a rented house. The parents of the petitioner visited their house, when they came to know about this fact. They stated that she cannot be accepted as their daughter-in-

law being a lower caste. The petitioner maintained physical relations even prior to their marriage. Later on both the families came to know about their marriage and she was shifted to Hisar in December, 2019. They resided at different places. The petitioner maintained physical relations including unnatural sex with her. He assaulted her several times. Ultimately she was left alone in Gurugram. Even thereafter, the petitioner met her and maintained physical relations with her. The petitioner started harassing her and even threatened her. She was forced to consume phenyl, thereafter, she was admitted in the hospital. Ultimately, the matter was reported to the police and the 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/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, Gurugram dated 01.08.2022. The statement of respondent No.2- Ankita 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- Nikhil Goyal also confirmed this fact in his separate statement. The statement of ASI Rajo 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 First 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 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 03.01.2023. 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.0084 dated 16.02.2020, registered under Sections 328, 377, 498-A, 506 IPC at Police Station Sector 53, Gurugram, District Gurugram and later on Challan dated 20.04.2021 presented before Ld. JMIC Gurugram only under Section 498-A and 506 IPC and the consequential proceedings arising there from are quashed.

Accordingly, the present petition is accepted.

(AMARJOT BHATTI)
JUDGE

16.01.2023
Sunil Devi

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