

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

116+255

CRM-M-30431-2022(O&M)

Date of decision : 10.05.2023.

Rustam Sehdev

..... Petitioner

V/S

State of Punjab and Anr.

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. Amit Dhawan, Advocate
for the petitioner.

Mr. Kunwarbir Singh, Assistant A.G. Punjab.

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

AMARJOT BHATTI J. (ORAL)

CRM-21295-2023

This is an application u/s 482 Cr.P.C. for placing on record copy of judgment & decree dated 18.01.2023 as Annexure P-4.

For the reasons stated in the application, the same is allowed. The accompanying document as Annexure P-4 is taken on record.

CRM stands disposed of.

CRM-M-30431-2022

The petitioner-Rustam Sehdev has filed the instant petition under Section 482 of Cr.P.C. for quashing of FIR No.6 dated 18.04.2017, under section 406 and 498-A of IPC, registered at Police Station NRI, Jalandhar, District

Jalandhar and all other subsequent proceedings on the basis of compromise between the parties dated 29.06.2022 (Annexure P-2).

As per the facts of the case, the complainant – Diksha Nanda filed written complaint to the police against her husband Rustam Sehdev and others alleging that her marriage was performed on 05.03.2016 with Rustam Sehdev according to Hindu rites. At the time of marriage and other functions huge amount was spent which is detailed in the FIR. All relatives were given gifts and shagun. Her father had spent Rs.7,25,900/-. After marriage, she was taken to Germany where his mother and other family members started harassing her. She was forced to do wrongful acts in a hotel and when she refused she was beaten up. They even threatened to kill her. Her passport was concealed by them. She came back to India otherwise she would have been compelled in wrongful activities. Her husband started giving threats to her. She demanded back her ornaments and other articles, but they refused to return the same. Ultimately, the matter was reported to the police and the present FIR was got registered.

The petitioner filed this petition for 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 Chief Judicial Magistrate, Jalandhar dated 10.08.2022. 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 statement of Sandeep Verma (power of attorney holder of petitioner-Rustam Sehdev) is also recorded who has also confirmed the compromise.

The petitioner-Rustam Sehdev has also confirmed this fact in his separate statement recorded through video conferencing. The statement of Inspector Gurvinder Kaur is also recorded who further confirmed that the accused is neither involved in any other case nor has been declared as proclaimed offender. The proceeding under Section 105-B Cr.P.C. is pending before the trial Court.

Therefore, from the report of Chief Judicial Magistrate, Jalandhar, 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 18.01.2023 (Annexure P-4). Now, they will be able to live independently in peace. 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.6 dated 18.04.2017, under section 406 and 498-A of IPC, registered at Police Station NRI, Jalandhar, District Jalandhar and the consequential proceedings arising therefrom are quashed.

Accordingly, the present petition stands accepted.

(AMARJOT BHATTI)
JUDGE

10.05.2023.
Sunil Devi

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