

CRM-M-33831-2022

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

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CRM-M-33831-2022

Date of decision : 27.04.2023

Saurav Mittal and Ors.

..... Petitioners

V/S

State of Punjab and Anr.

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. Puneet Sharma, Advocate
for the petitioners.

Mr. M.S.Joshi, Addl. A.G. Punjab.

Ms. Anmol Gupta, Advocate
for respondent No. 2.

AMARJOT BHATTI J. (ORAL)

The petitioners- Saurav Mittal, Shyam Sunder Mittal, Saroj Mittal and Shashank Mittal have filed the instant petition under Section 482 of Cr.P.C. for quashing of FIR No.27 dated 09.05.2017, under Section 406, 498-A of IPC along with (Section 377 of IPC added later on), registered at Police Station Women, District Jalandhar and all other subsequent proceedings on the basis of compromise between the parties dated 30.05.2022 (Annexure P-2).

As per the facts of the case, the complainant –Sonakshi Mittal filed written complaint against her husband Saurav Mittal and others alleging that their marriage was solemnized on 03.06.2015. The marriage was performed with great

pomp and show. Prior to the marriage, the petitioner was told about the qualities of her husband Saurav Mittal as well as his huge annual income. It was told that they were having an office in Mumbai and Saurav Mittal was looking after overseas interest and supervising the offices located in UK and USA. Her father had spent Rs.12 Crores on her marriage. After marriage, she started residing in Mumbai along with her husband and his joint family situated at falcon castle opposite lower parel Mumbai. All her jewellery and costly items were kept in a locker maintained by them in a bank. She was not allowed to use her articles. After marriage they went to Lonavala where her husband misbehaved with her and his behaviour was not normal. She realized that he was addicted to drugs. Ultimately, the matter was reported to the police and the present FIR has been registered.

Learned counsel for the petitioner has handed over FDR amounting to Rs.25 lacs in favour of Tishya Mittal (Child) and a bank draft amounting to Rs.75 lacs drawn from ICICI Bank, (82) G.T.Road, Jalandhar dated 21.03.2023 revalidated in favour of respondent No.2-Sonakshi Mittal, who is present in court along with her father Sanjay Goyal.

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 Chief Judicial Magistrate, Jalandhar dated 03.10.2022. The statement of respondent No.2 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- Saurav Mittal, Shyam Sunder Mittal, Saroj Mittal and Shashank Mittal have also confirmed this fact in their separate statement. The statement of SI Palwinder Singh 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 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 withdrawn all litigations filed against each other and have also filed joint petition under Section 13-B of Hindu Marriage Act. 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 petitioners is accepted and FIR No.27 dated 09.05.2017, under Section 406, 498-A of IPC along with (Section 377 of IPC added later on), registered at Police Station Women, District Jalandhar and the consequential proceedings arising therefrom are quashed.

Accordingly, the present petition stands accepted.

(AMARJOT BHATTI)
JUDGE

27.04.2023.
Sunil Devi

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