

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

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CRM-M-44487-2021

Date of decision : 11.04.2023

Sahil Thakur and Ors.

..... Petitioners

V/S

State of Punjab and Another

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr.Yoginder Nagpal, Advocate
for the petitioners.

Mr. Mohinder Singh Joshi, Additional A.G. Punjab.

Mr. Jatinder Nagpal, Advocate for the complainant-respondent No.2.

AMARJOT BHATTI J. (ORAL)

The petitioners- Sahil Thakur, Raj Kumar and Meena Kumari have filed the instant petition under Section 482 of Cr.P.C. for quashing of FIR No.110 dated 09.06.2017, under Sections 323, 324, 506, 498-A of IPC, registered at Police Station Division No.7, Jalandhar, District Jalandhar, report/challan filed under Section 173 Cr.P.C. dated 30.11.2017 and all other subsequent proceedings on the basis of compromise between the parties dated 01.10.2021 (Annexure P-2).

As per the facts of the case, the complainant –Pooja Rani gave her statement to the police that she got married with Sahil Thakur on 21.07.2016. Her husband was NRI Manager in HDFC Bank at Model Town, Jalandhar. They were

living in a rented accommodation for the last about five months. Her husband used to doubt her character. Her mother-in-law used to taunt her that she was having a relationship with her own brother-in-law. She was beaten up by her husband during her pregnancy. As a result of which, she suffered miscarriage. She called the police and thereafter her husband agreed not to quarrel with her. On 08.07.2017 at 10:00 AM, her husband again quarreled with her. She called her sister Poonam. Her husband abused Poonam, dragged her in the kitchen and threatened her with knife. She suffered injury on her left arm. She was taken to Civil Hospital by Ms. Seema. Her sister and brother-in-law also reached in the hospital. Ultimately, the matter was reported to the police and 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 reports regarding compromise have been received from the court of Judicial Magistrate 1st Class, Jalandhar dated 10.11.2021 and 03.12.2022. 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- Sahil Thakur, Raj Kumar and Meena Kumari have also confirmed this fact in their separate statements. The statement of ASI Bhupinder Singh (Retd.) 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 1st Class, 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. The respondent No.2 has already taken ex-parte divorce vide order dated 11.06.2019. 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.110 dated 09.06.2017, under Sections 323, 324, 506, 498-A of IPC, registered at Police Station Division No.7, Jalandhar, District Jalandhar, report/challan filed under Section 173 Cr.P.C. dated 30.11.2017 and the consequential proceedings arising therefrom are quashed.

Accordingly, the present petition stands accepted.

(AMARJOT BHATTI)
JUDGE

11.04.2023.
Sunil Devi

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