

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

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CRM-M-44748-2021

Date of Decision : 02.02.2023

Sonam Bansal and others

..... Petitioners

V/S

State of Punjab and Anr.

..... Respondents

CORAM : HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present: Mr. Aman Bansal, Advocate,
for the petitioners.

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

Mr. Jagatvir Singh Dhindsa, Advocate for respondent No.2.

AMARJOT BHATTI J. (ORAL)

The petitioners-Sonam Bansal, Mohil Bansal, Prabal Bansal and Om Parkash Bansal have filed the instant petition under Section 482 of Cr.P.C. for quashing of FIR No.0116 dated 08.07.2019, registered under Sections 498-A, 354, 354-A, 354-B, 354-C, 354-D, 506, 377 IPC (Section 406 IPC added later on) and Section 67 of the Information Technology Act, at Police Station Division 6, District Police Commissionerate Jalandhar 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-Ashima Gupta filed a written complaint alleging that she got married with Prabal Bansal on 28.04.2018 according to Hindu traditions. The complainant has mentioned

about the functions performed before marriage. She was turned out of the matrimonial home on 16.04.2019 i.e. before her first marriage anniversary. She was physically and mentally harassed, tortured and assaulted. She was subjected to unnatural sex. All her dowry articles are misappropriated by her in-laws. Her in-laws family tried to extract money from her parents. Her husband was suggesting her to get a luxury car as a gift. Her parents had spent huge money at the time of her marriage. All her jewellery was taken over by her in-laws on the pretext of keeping it in a safe and it was never returned back. Soon after the marriage, the behavior of her husband was abnormal. Her husband claimed that he was not interested in making physical relations with her. He was pressurizing her to ask her father to help him in their business. There was no communication between them. Her husband proclaimed that his marriage was performed under pressure. She tried to adjust in the matrimonial home but she was humiliated and maltreated by her husband and in-laws family. The complainant has narrated various incidents during her stay in the matrimonial home. Efforts were made for reconciliation but the matter could not be reconciled. She started living with her parents on 16.04.2019. Ultimately, the present FIR got 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 Chief Judicial Magistrate, Jalandhar dated 30.01.2023. The statement of respondent No.2-Ashima Gupta 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- Sonam Bansal, Mohil Bansal, Prabal Bansal and Om Parkash Bansal have also confirmed this fact in their separate statement. The statement of SI Surjit 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 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.0116 dated 08.07.2019, registered under Sections 498-A, 354, 354-A, 354-B, 354-C, 354-D, 506, 377 IPC (Section 406 IPC added later on) and Section 67 of the Information Technology Act, at Police Station Division 6, District Police Commissionerate Jalandhar and the consequential proceedings arising there from are quashed.

Accordingly, the present petition stands accepted.

(AMARJOT BHATTI)
JUDGE

02.02.2023
Sunil Devi

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

