

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

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CRM-M-41085-2022
Date of decision : 11.04.2023.

Munshi Lal and Ors.

..... Petitioners

V/S

State of Punjab and Anr.

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTIPresent: Mr. R.D.Rattewal, Advocate
for the petitioners.

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

Mr. Arnav Kumar, Advocate for respondent No.2.

AMARJOT BHATTI J. (ORAL)

The petitioners- Munshi Lal, Varun Kumar, Ramesh Kumari, Palak Chopra and Vishal Chopra have filed the instant petition under Section 482 of Cr.P.C. for quashing of FIR No. 64 dated 10.04.2022, under Section 406, 498-A, 420, 120-B, 181 of IPC, registered at Police Station Moti Nagar, District Police Commissionerate Ludhiana and all other subsequent proceedings on the basis of compromise between the parties dated 26.07.2022 (Annexure P-2).

As per the facts of the case, the complainant –Ekta filed a written complaint to the Commissioner of Police alleging that earlier she had filed application for registration of case against Varun Kumar and others. This application was filed in continuation of two earlier applications. She alleged that during the investigation of earlier application dated 08.09.2021 accused Munshi

Lal and Ramesh Kumari both parents of Varun Kumar effected compromise with the intervention of respectables for sending her to Australia on visitor visa and all the expenses were to be borne by them. Prior to marriage she was working in Calcutta as Nursing Officer in Military Nursing Services. She had resigned from her job at the instance of her husband Varun Kumar. Despite the aforesaid compromise for taking her to Australia she could not go there. A Panchayat was convened where, in the presence of respectables her father-in-law abused her that she was illiterate and not good looking. He openly proclaimed that they will not take her to Australia. She patiently waited that better sense would prevail upon them. They have embezzled all her dowry articles and cheated her and also threatened her. Ultimately, she filed these complaints. After due enquiry the present FIR was 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 Judicial Magistrate 1st Class, Ludhiana dated 30.09.2022. 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- Munshi Lal, Varun Kumar, Ramesh Kumari, Palak Chopra and Vishal Chopra have also confirmed this fact in their separate statement. The statement of ASI Anil Kumar 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, Ludhiana, 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 24.03.2023. They have withdrawn the case filed for permanent injunction. Certified copies of the same are placed on record. 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. 64 dated 10.04.2022, under Section 406, 498-A, 420, 120-B, 181 of IPC, registered at Police Station Moti Nagar, District Police Commissionerate Ludhiana 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