

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM-M-41225-2022

Date of decision : 29.05.2023

Jatin

..... Petitioner

V/S

State of Haryana and Anr.

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr.Fateh Saini, Advocate
for the petitioner.

Ms. Mayuri Lakhanpal, DAG, Haryana.

Mr. Pawan Attri, Advocate for respondent No.2.

AMARJOT BHATTI J. (ORAL)

The petitioner-Jatin has filed the instant petition under Section 482 of Cr.P.C. for quashing of FIR No.42 dated 24.03.2021, under Sections 323, 377, 406, 498-A of IPC, registered at Women Police Station, District Sonapat and all other subsequent proceedings on the basis of compromise between the parties dated 20.08.2022 (Annexure P-2).

As per the facts of the case, the complainant – Komal filed a complaint alleging that her father has already expired. Her marriage was solemnized with Jatin on 25.03.2019. After marriage, she was ill-treated by her husband and in-laws family. Her husband was having illicit relations with some

other lady. He used to misbehave with her and when she tried to stop him, in return he used to beat her. She has also levelled allegations of unnatural sex. The members of in-laws family did not try to stop her husband. They started harassing her by raising demand for more dowry. Ultimately, she started residing in her parental house. Several Panchayats were convened to resolve the issue. Ultimately, she filed this complaint and on the basis of which, the present FIR has been registered.

The petitioner filed this petition for the 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 Judicial Magistrate 1st Class, Sonipat dated 29.09.2022. 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 petitioner-Jatin also confirmed this fact in his separate statement.

Therefore, from the report of Judicial Magistrate 1st Class, Sonipat, it is clear that the accused is neither involved in any other case nor has been declared as proclaimed offender. The compromise has been effected between the parties without any pressure, coercion or undue influence, which is acceptable to both the parties. Now they are residing separately but till date they have not decided to end the matrimonial tie. They have not filed any petition seeking divorce. They have mutually settled all the disputes. 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.42 dated 24.03.2021, under Sections 323, 377, 406, 498-A of IPC, registered at Women Police Station, District Sonapat and the consequential proceedings arising therefrom are quashed.

Accordingly, the present petition stands accepted.

(AMARJOT BHATTI)
JUDGE

29.05.2023.
Sunil Devi

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