

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

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CRM-M-41352-2022**Date of decision : 10.01.2023****Avtar Singh**

..... Petitioner

V/S

State of Punjab and Anr.

..... Respondents

CORAM : HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present: Mr. Jagjot Singh, Advocate, for the petitioner.

Mr. Hemant Aggarwal, AAG, Punjab.

AMARJOT BHATTI J. (ORAL)

The petitioner-Avtar Singh has filed the instant petition under Section 482 of Cr.P.C. for quashing of FIR No.0056 dated 25.05.2019, registered under Sections 498-A, 406 IPC at Police Station Moonak, District Sangrur 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-Harjit Kaur filed a written complaint alleging that she got married with Avtar Singh on 23.01.2011 and out of this wedlock she has a daughter aged 06 years. Her father - expired on 06.12.2015. Her only brother had also expired in the year 2006. Her father had spent Rs.10 lacs on her marriage and she was also given a Maruti Car in dowry and cash of Rs.2 lacs. She was also given household articles. She was maltreated in the matrimonial home by her husband and in-laws family for bringing less dowry. She was being compelled to sell the property which she had inherited from her father so that they may purchase more land in their village. They were unhappy on the

birth of a daughter. She tried to adjust in the matrimonial home, but there was no change in their behavior. She was beaten up in the matrimonial home. Ultimately, she started residing with her mother and also brought her daughter along with her. With these allegations, the present FIR was got 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 Civil Judge (Jr. Divn.)-cum-JMIC, Moonak dated 27.09.2022. The statement of respondent No.2-Harjit Kaur 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 they have no objection regarding quashing of FIR.

The petitioner-Avtar Singh also confirmed this fact in his separate statement. The statement of ASI Amandeep Kaur is also recorded who further confirmed that the accused is neither involved in any other case nor has been declared as proclaimed offender.

Therefore, from the report of Civil Judge (Jr. Divn.)-cum-JMIC, Moonak, 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 and also preferred a joint petition under Section 13-B of Hindu Marriage Act, which is still pending. 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. Since it is a matrimonial dispute arisen between the parties.

Therefore considering these facts the petition filed by the petitioner is accepted and FIR No.0056 dated 25.05.2019, registered under Sections 498-A, 406 IPC at Police Station Moonak, District Sangrur and the consequential proceedings arising there from are quashed.

Accordingly, the present petition stands disposed of.

**(AMARJOT BHATTI)
JUDGE**

10.01.2023
Sunil Devi

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