

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

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CRM-M-45862-2022

Date of decision : 11.01.2023

Ajay Pal Singh and Ors.

..... Petitioners

V/S

State of Punjab and Anr.

..... Respondents

CORAM : HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present: Mr. Ashish Aggarwal, Advocate, for the petitioners.

Mr. Hemant Aggarwal, AAG, Punjab.

Mr. Kuljit Singh Bal, Advocate, for respondent No.2.

AMARJOT BHATTI J. (ORAL)

The petitioners-Ajay Pal Singh, Kuldeep Singh Kairon and Inderjit Kaur have filed the instant petition under Section 482 of Cr.P.C. for quashing of FIR No.02 dated 20.03.2021, registered under Sections 498-A, IPC at Police Station NRI, District Amritsar City 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-Tripatjot Kaur filed written complaint against Ajay Pal Singh and others for cruelty on account of demand of dowry. She alleged that her marriage was solemnized with Ajay Pal Singh on 25.01.2017 at Amritsar. She gave birth to a son on 02.12.2019. She was already having a female child from her first husband. The girl was adopted by her second husband at the time of marriage. Her first marriage was unsuccessful. At the time of her second marriage her parents had given gold ornaments, valuable clothes as per their demand.

After marriage she was taunted and maltreated in the matrimonial home by

alleging that she belonged to a poor family. She was insulted and humiliated by her husband and in-laws family. In March, 2017, she again conceived, but she was pressurized to abort the child. She was treated like a domestic helper. In July, 2017, she was left in her parental house when she got sick. She was brought back in the matrimonial home in January, 2018. In April, 2018 her visa application was prepared and she was told not to disclose the true facts. She again conceived and gave birth to a male child. In the meantime, she came to know that petitioner No.1 has not given divorce to his wife in New Zealand, she felt cheated. The accused raised demand of Rs.20 lacs and a car which her parents failed to satisfy. She was given merciless beatings and was also hospitalized. She remained under mental tension, stress and agony. Thereafter, she also filed complaint. Ultimately, 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 First Class, Amritsar dated 29.10.2022. The statement of respondent No.2- Tripatjot Kaur 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-Ajay Pal Singh, Kuldip Singh Kairon and Inderjit Kaur have also confirmed this fact in their separate statements. The statement of ASI Vijay 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 First Class, Amritsar. 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.02 dated 20.03.2021, registered under Sections 498-A, IPC at Police Station NRI, District Amritsar City and the consequential proceedings arising there from are quashed.

Accordingly, the present petition stands disposed of.

(AMARJOT BHATTI)
JUDGE

11.01.2023
Sunil Devi

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