

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

121+267

CRM-M-45825-2022(O&M)

Date of decision : 09.05.2023

Pankaj Kumar and Anr.

..... Petitioners

V/S

State of Haryana and Others

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. K.L.Saini, Advocate for the petitioners.

Ms. Deepshikha Chauhan, AAG, Haryana.

Ms. Vibha Advocate for

Mr. Sandeep Saini, Advocate for respondent Nos.2 and 3.

AMARJOT BHATTI J. (ORAL)

CRM-20568-2023

This is an application u/s 482 Cr.P.C. for placing on record copy of judgment & decree dated 27.02.2023 as Annexure P-9 and P-10.

For the reasons stated in the application, the same is allowed. The accompanying documents as Annexure P-9 and P-10 are taken on record.

CRM stands disposed of.

CRM-M-45825-2022

The petitioners- Pankaj Kumar and Ranjit Singh have filed the instant petition under Section 482 of Cr.P.C. for quashing of FIR No.0023 dated 17.02.2020, under Sections 406, 498-A and 506 of IPC, registered at Police Station Jhansa, District Kurukshetra and all other subsequent proceedings on the basis of compromise between the parties.

As per the facts of the case, the complainant –Karnail Singh (father of the girl) filed written complaint against Pankaj Kumar and other members of in-laws family of his daughter alleging that he had performed marriage of his daughter-Gurpreet Kaur with Pankaj Kumar on 27.02.2017. He had spent Rs.2 Lacs on engagement ceremony and about Rs.15 Lacs during marriage ceremony. He had given gold ornaments, household articles, electrical goods, utensils etc. as *Istridhan* at the time of marriage as detailed in the FIR. The accused No.1 was residing in Spain whereas accused No.2 Ranjit Singh was residing in Germany on permanent basis. Therefore, considering the future of his daughter he had spent money with open heart. The behaviour of accused persons changed after marriage. They were unhappy with the dowry articles given at the time of marriage. The accused No.1 started misbehaving with his daughter after consuming liquor. After going back to Spain, he did not talk to his daughter. The accused No.3 did not provide phone number of accused No.1 to his daughter. They thought that after 2-3 years of harassment she will go to her parental house. After a period of one year when accused No.1 and 2 came they did not discuss anything with his daughter. They continued to misbehave with her. His daughter was told to bring a car and cash of Rs.14 Lacs from her father otherwise, she will not be taken to foreign country. On 10.06.2019, she was beaten up and locked in a room. The process of harassment and maltreatment continued. Ultimately, the matter was reported to the police and the present FIR has been registered.

The petitioners filed this petition for the quashing of aforesaid FIR on the basis of compromise. The petitioners and respondents No.2 & 3 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, Kurukshetra dated 11.11.2022. The statements of respondents No.2 & 3 have been recorded, where they confirmed the compromise with the petitioners. They confirmed that this compromise has been effected without any pressure, coercion from any side and they have no objection regarding quashing of FIR. The petitioners- Pankaj Kumar and Ranjit Singh have also confirmed this fact in their separate statement. As per the report 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, Kurukshetra, 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 27.02.2023 (Annexure P-9 and P-10). Now, they will be able to live independently in peace. 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.0023 dated 17.02.2020, under Sections 406, 498-A and 506 of IPC, registered at Police Station Jhansa, District Kurukshetra and the consequential proceedings arising therefrom are quashed.

Accordingly, the present petition stands accepted.

(AMARJOT BHATTI)
JUDGE

09.05.2023.
Sunil Devi

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