

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

130+274

CRM-M-47946-2022(O&M)

Date of decision : 15.05.2023

Rahul Dhingra and Anr.

..... Petitioners

V/S

State of Punjab and Anr.

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. Yogesh Goel, Advocate
for the petitioners.

Mr. Kunwarbir Singh, Assistant A.G. Punjab.

Dr. Neha Awasthi, Legal Aid Counsel for respondent No.2.

AMARJOT BHATTI J. (ORAL)

CRM-21853-2023

This is an application u/s 482 Cr.P.C. for placing on record copy of judgment dated 24.04.2023 passed by learned Family Court, Jalandhar as Annexure P-5.

For the reasons stated in the application, the same is allowed. The accompanying documents as Annexure P-5 are taken on record.

CRM stands disposed of.

CRM-M-47946-2022

The petitioners- Rahul Dhingra and Deepika Dheengra @ Dipika

Dhingra have filed the instant petition under Section 482 of Cr.P.C. for quashing of

FIR No.100 dated 27.07.2021, under Sections 498-A, 406 of IPC, registered at Police Station Division 1, District Pathankot and all other subsequent proceedings on the basis of compromise between the parties dated 12.10.2022 (Annexure P-2).

As per the facts of the case, the complainant –Neha Bambah filed a written complaint against her husband and in-laws family for domestic violence, physical and mental harassment on account of demand of dowry. It is submitted that she got married with Rahul Dhingra in November, 2019. She was working in MNC based out in Noida as Senior Software Engineer with a salary package of Rs.12 Lacs per annum. Her husband is B.Tech and working with MNC ADOBE. Their marriage was fixed through a common friend. It was decided that there will be simple marriage. After marriage, she was being harassed, tortured and even they tried to kill her. Her parents tried to settle the matter and Panchayats were also convened. She was physically and mentally harassed. After marriage, her husband was expecting gifts like gold ornaments, *Honda City* car. She has narrated various incidents when she was physically and mentally tortured in the matrimonial home. She filed the complaint to the police but no action was taken. Ultimately, on the basis of the complaint, the matter was investigated 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 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 Additional Chief Judicial Magistrate, Pathankot dated 24.03.2023. 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- Rahul Dhingra and Deepika Dheengra @ Dipika Dhingra have also confirmed this fact in their separate statements. The statement of ASI Dalbir Singh 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 Additional Chief Judicial Magistrate, Pathankot, 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 20.04.2023 (Annexure P-5). 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.100 dated 27.07.2021, under Sections 498-A, 406 of IPC, registered at Police Station Division 1, District Pathankot and the consequential proceedings arising therefrom are quashed.

Accordingly, the present petition stands accepted.

(AMARJOT BHATTI)
JUDGE

15.05.2023.
Sunil Devi

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