

CRM-M-50393-2022

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

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CRM-M-50393-2022

Date of decision : 29.05.2023

Amanjeet Singh @ Amarjit Singh and Anr.

..... Petitioners

Versus

State of Punjab and Another

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. G.S. Bawa, Advocate
for the petitioners.

Mr. Vinay Kumar Gupta, AAG Punjab.

Mr. Gobind Singh Randhawa, Advocate
for respondent No. 2.

AMARJOT BHATTI J. (ORAL)

The petitioners – Amanjeet Singh @ Amarjit Singh and Rajwant Kaur have filed the instant petition under Section 482 of Cr.P.C. for quashing of FIR No. 109 dated 03.11.2021 under Section 498-A, 406 of I.P.C. registered at Police Station Sandaur, District Malerkotla (Annexure P-1) and all the subsequent proceedings arising therefrom on the basis of compromise dated 08.08.2022 (Annexure P-2).

The facts of the case are that Kamaljeet Kaur filed written complaint against her husband Amanjeet Singh and others alleging that she got married with Amanjeet Singh on 17.10.2015. Her parents had spent more than Rs. 12 lacs on her marriage. She was given gold ornaments, silver ornaments, clothes, electrical goods and other household articles as her istridhan. These articles were handed

over to the accused persons with the assurance that they will hand over these articles to her. She started residing in the matrimonial home. She also gave birth to a son on 20.07.2018. Even earlier she got pregnant but she suffered miscarriage. Her husband was working in Dubai and he was still there at the time of registration of FIR. Whenever her husband came to India, the other members of in-laws family used to provoke him. She was taunted for bringing less dowry. They used abusive language for her. Her parents had given cash amount to the accused persons to save her married life. In January, 2016 she was pressurized to bring Rs. 50,000/- from her father. In August, 2016, her father arranged Rs. 1 lac and gave it to the accused persons. She was openly insulted and beaten up. Her husband was also having extra marital affair with another lady. He openly stated that he would take divorce from her. She was beaten up by the other family members in the absence of her husband. Ultimately, she was turned out of the matrimonial home in February, 2018 with their demand for Rs. 2 lacs. At that time, she was on family way and gave birth to a child. Panchayat was also convened to take her back in the matrimonial home. They have refused to take her back. Ultimately, she has filed the present complaint, on the basis of which present FIR has been registered.

The petitioners have 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 Illaqa/Duty 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, Malerkotla dated 20.12.2022. The statement of respondent No. 2 has been recorded, where she confirmed the compromise with the petitioners. She submitted that the compromise has been effected with the accused persons with her own free will and

without any pressure or coercion and without any undue influence. She is residing in her matrimonial home at village Majara. She lastly submitted that she has no objection regarding quashing of FIR in pursuance of their compromise.

The petitioners also confirmed this fact in their joint statement. The statement of ASI Balwinder Singh was also recorded who further confirmed that the accused persons were neither involved in any other case nor declared proclaimed offender(s)/persons.

Therefore, from the report of Judicial Magistrate First Class, Malerkotla, 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 disputes. Since, the private parties in the present petition are residing together, therefore, no purpose would be served with the continuation of criminal proceedings.

Therefore, considering these facts, the petition filed by the petitioners – Amanjeet Singh @ Amarjit Singh and Rajwant Kaur is accepted and FIR No. 109 dated 03.11.2021 under Section 498-A, 406 of I.P.C. registered at Police Station Sandaur, District Malerkotla and all the consequential proceedings arising therefrom are quashed.

Accordingly, the present petition stands accepted.

(AMARJOT BHATTI)
JUDGE

29.05.2023
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Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No