

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM-M-51413-2022 (O&M)

Date of decision : 21.03.2023

Vivek Arora

..... Petitioner

V/S

State of Haryana and Anr.

..... Respondents

CORAM : HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present: Mr.Sachit Punia, Advocate
for the petitioner.

Ms. Deepshikha Chauhan, Asst. A.G. Haryana.

Mr. Neeraj Madaan, Advocate for respondent No.2.

AMARJOT BHATTI J. (ORAL)

The petitioner- Vivek Arora has filed the instant petition under Section 482 of Cr.P.C. for quashing of FIR No.141 dated 19.04.2021, under Sections 323, 406, 498-A, 506 and 34 of IPC, registered at Police Station Hisar Civil Lines, District Hisar and all other subsequent proceedings on the basis of compromise between the parties dated 28.10.2022 (Annexure P-2).

As per the facts of the case, the complainant – Shaweta gave her statement that she got married with Vivek Arora on 15.08.2014. The marriage was solemnized at Muzaffarnagar, U.P. Her parents had spent Rs.30 lacs on marriage and she was given huge dowry. No child was born out of this wedlock. She was harassed physically and mentally by her husband and in-laws family. Kanika-

sister of her husband used to quarrel with her. The complainant lived with her husband in Dubai and during this period, sister of her husband visited several times and interfered in her married life. She was working in a company in Dubai and whenever she came home alongwith her work, her husband was annoyed and used to fight with her. It become impossible for her to live in the matrimonial home. She suffered health issues during her stay in Dubai and was admitted in ICU. The mother of the applicant came to look after her. She used to pay the rent and other installments from her salary. Her husband wanted to take divorce from her. Ultimately, on 26.09.2020 she came back to her parental house. The complaint was filed and the present FIR has been 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 Chief Judicial Magistrate, Hisar dated 20.01.2023. The statement of respondent No.2 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 she has no objection regarding quashing of FIR.

The petitioner-Vivek Arora also confirmed this fact in his separate statement. The statement of SI Rampal 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 Chief Judicial Magistrate, Hisar, 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 17.01.2023. They will be able to live in peace and harmony. 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.141 dated 19.04.2021, under Sections 323, 406, 498-A, 506 and 34 of IPC, registered at Police Station Hisar Civil Lines, District Hisar and the consequential proceedings arising therefrom are quashed.

Accordingly, the present petition stands accepted.

(AMARJOT BHATTI)
JUDGE

21.03.2023.

Sunil Devi

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