

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

296 (2 cases)

Date of decision : 18.04.2023

1. CRM-M-51880-2022

Rahul Chouhan

..... Petitioner

V/S

State of Haryana and Anr.

..... Respondents

2. CRM-M-53843-2022

Vinod Kumar Chouhan and Anr.

..... Petitioners

V/S

State of Haryana and Anr.

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. Ankur Lal, Advocate
for the petitioner(s).

Ms. Aditi Girdhari, AAG, Haryana.

Mr. Deepam Raghava, Advocate for respondent No.2.

AMARJOT BHATTI J. (ORAL)

The petitioner(s)-Rahul Chouhan has filed CRM-M-51880-2022 and Vinod Kumar and Rekha Chouhan has filed CRM-M-53843-2022 under Section 482 of Cr.P.C. for quashing of FIR No.23 dated 10.02.2020, under Sections 323, 34, 354-A, 377. 406, 498-A and 506 of IPC (Sections 377 and 354-A deleted later on), registered at Women Police Station, Faridabad,

District Faridabad and all other subsequent proceedings on the basis of compromise between the parties dated 21.10.2022 (Annexure P-4).

As per the facts of the case, the complainant –Yogita has filed a complaint against her husband and in-laws, alleging that her marriage was performed on 17.01.2019. Her father had given dowry articles as per his status. However her in-laws were unhappy right from the beginning. Her father-in-law and mother-in-law started complaining on the very next day that the marriage was not performed as per their status. They should have given a Swift Car and cash of Rs.5 lacs. Her parents had given Rs.1 lac cash on 14.02.2019. The complainant has referred to the cash amount which was given by her parents from time to time. She has also levelled allegations against her husband for indulging in unnatural sex. Their demands increased day by day. Ultimately, the present complaint was filed and the present FIR has been registered.

The petitioner(s) filed the petitions for the quashing of aforesaid FIR on the basis of compromise. The petitioner(s) 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 reports regarding compromise has been received from the court of Judicial Magistrate 1st Class, Faridabad both dated 22.02.2023. The statement of respondent No.2 have been recorded, where she confirmed the compromise with the petitioner(s). 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(s)-Rahul Chouhan in CRM-M-51880-2022 and Vinod Kumar and Rekha Chouhan in CRM-M-53843-2022 have also

confirmed this fact in their separate statements. The statement of HC Kavita 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 1st Class, Faridabad, 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 16.02.2023. 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 petitions filed by the petitioners are accepted and FIR No.23 dated 10.02.2020, under Sections 323, 34, 354-A, 377. 406, 498-A and 506 of IPC (Sections 377 and 354-A deleted lateron), registered at Women Police Station, Faridabad, District Faridabad and the consequential proceedings arising therefrom are quashed.

Accordingly, the present petitions stand accepted.

A photocopy of this order be placed on the file of connected case.

(AMARJOT BHATTI)
JUDGE

18.04.2023.

Sunil Devi

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