

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

118+267

CRM-M-55121-2022(O&M)

Date of decision : 24.05.2023

Vijay Ahlawat and Ors.

..... Petitioners

V/S

State of Haryana and Anr.

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. Gaurav Antwal, Advocate for the petitioners.

Ms. Mayuri Lakhanpal, DAG, Haryana.

Mr. Vikram Singh Narwal, Advocate for respondent No.2.

AMARJOT BHATTI J. (ORAL)

CRM-21703-2023

This is an application u/s 482 Cr.P.C. for placing on record certified copy of the judgment and decree of divorce as Annexure P-12.

For the reasons stated in the application, the same is allowed. The accompanying documents as Annexure P-12 are taken on record.

CRM stands disposed of.

CRM-M-55121-2022

The petitioners-Vijay Ahlawat, Ram Kumar, Raj Bala and Sonam have filed the instant petition under Section 482 of Cr.P.C. for quashing of FIR No.022 dated 05.08.2019, under Sections 323, 420, 498-A, 120B, 406, 506 and 204 of IPC, registered at Police Station Ram Nagar, Karnal, District Karnal and all other subsequent proceedings on the basis of compromise between the parties dated 12.09.2022 (Annexure P-2).

As per the facts of the case, the complainant –Vijay filed a written complaint to SHO Police Station Ram Nagar Karnal, alleging that she got married with Vijay Ahlawat on 07.11.2016. Soon after marriage, she was taunted and ill-treated for bringing less dowry. Her husband was doing a private job in Gurgaon and they started residing in a rented house. He used to leave her at Jind with her in-laws. They used to ill-treat her and did not give food to eat. They were raising demand for money to purchase a car. She was threatened that her husband will divorce her and they will solemnize his marriage in a rich family. She was told to bring money at the time of marriage of her sister-in-law. Under compulsion, her father had deposited Rs.3 Lacs in her account on 07.02.2019. Her husband used to come late at night under the influence of liquor and used to ask for divorce. She was beaten up and maltreated during her stay in the matrimonial home but she did not agree to give him divorce. Her husband showed to her one fabricated document that they will settle down in foreign country and for this purpose she should give divorce to him. She was constantly pressurized to give divorce. He played fraud with her and obtained a decree of divorce on 11.07.2019. He got prepared fake documents. Her husband was able to read her whatsapp messages and edit them. Ultimately, she disclosed everything to her parents and filed the complaint. The matter was investigated and the present FIR was 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 Chief Judicial Magistrate Karnal, dated 29.04.2023. 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- Vijay Ahlawat, Ram Kumar, Raj Bala and Sonam have also confirmed this fact in their separate statements. The statement of ASI Bharat Bhushan 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 Chief Judicial Magistrate Karnal, 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 11.07.2019 (Annexure P-12). 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.022 dated 05.08.2019, under Sections 323, 420, 498-A, 120B, 406, 506 and 204 of IPC, registered at Police Station Ram Nagar, Karnal, District Karnal and the consequential proceedings arising therefrom are quashed.

Accordingly, the present petition stands accepted.

(AMARJOT BHATTI)
JUDGE

24.05.2023.

Sunil Devi

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