

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

302

CRM-M-55079-2022

Date of decision :30.05.2023

Rohit and Ors.

..... Petitioners

V/S

State of Punjab and Ors.

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. Akhilesh Vyas, Advocate
for the petitioners.

Mr. Vinay Kumar Gupta, AAG, Punjab.

Mr. Nirmal Sharma, Advocate for
Ms. Simran Sharma, Advocate for respondent Nos.2 and 3.

AMARJOT BHATTI J. (ORAL)

The petitioners- Rohit, Ashok Kumar, Kiran, Vikas and Shiwani have filed the instant petition under Section 482 of Cr.P.C. for quashing of FIR No.0207 dated 16.07.2020, under Sections 354, 323, 342, 427, 149 of IPC, registered at Police Station Sadar Amritsar, District Amritsar and all other subsequent proceedings on the basis of compromise between the parties dated 23.09.2022 (Annexure P-2).

As per the facts of the case, the complainant –Pooja gave her statement to the police that earlier she was married with Shehbaz Singh. She is having a daughter namely Ravinshka aged about five years. She was residing

separately on account of matrimonial dispute and ultimately they took divorce with mutual consent. During the said period about 3-4 years ago, she became friendly with Rohit. They started meeting each other. Rohit and his family proposed for their marriage. Suddenly, Rohit performed marriage with some other girl on 29.06.2020. She disclosed this fact to her family as she felt cheated. She wanted to disclose this fact to the mother of Rohit's wife. She called Smt. Geeta (mother of Rohit's wife-Bhawna) on 02.07.2020 and she called her to meet at Rohit's house. She along with her mother-Dimple went to the house of Rohit at about 11:00-11:15AM where apart from Geeta, Rohit, Rohit's father Ashok Kumar, his mother-Kiran, his brother-in-law Vikas, his sister Shiwani, his wife Bhawna and some other relatives were present. Rohit's mother-Kiran slapped her whereas his sister Shiwani slapped her mother. They were given beating and were confined in a room. In the meantime, her brothers and neighbour reached there and got them released from there. In this occurrence her mobile phone was broken, her clothes were torn and they also prepared a video. With these allegations, 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 Nos.2 & 3 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, Amritsar dated 28.03.2023. The statement of respondent Nos.2 & 3 have been recorded, where they confirmed the compromise with the petitioners. They confirmed that this compromise has been effected without any pressure, coercion from any side and they have no objection regarding quashing of FIR.

The petitioners-Rohit, Ashok Kumar, Kiran, Vikas and Shiwani have also confirmed this fact in their separate statements. The statement of ASI Davinder 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, Amritsar, 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. Both the parties are residents of same city, it would enable them to live in peace and harmony. They have mutually settled all their disputes. It will end all litigation started between them. 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.0207 dated 16.07.2020, under Sections 354, 323, 342, 427, 149 of IPC, registered at Police Station Sadar Amritsar, District Amritsar and the consequential proceedings arising therefrom are quashed.

Accordingly, the present petition stands accepted.

(AMARJOT BHATTI)
JUDGE

30.05.2023.

Sunil Devi

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