

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

268

CRM-M-55409-2022

Date of decision : 24.05.2023

Surender Singh and Ors.

..... Petitioners

V/S

State of Haryana and Anr.

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. Balraj Gujjar, Advocate
for the petitioners.

Ms. Mayuri Lakhanpal, DAG, Haryana.

Mr. Vikas Saroha, Advocate
for respondent No.2.

AMARJOT BHATTI J. (ORAL)

The petitioners-Surender Singh, Sovran Singh, Sheela Devi, Pawan Singh and Rekha Singh have filed the instant petition under Section 482 of Cr.P.C. for quashing of FIR No.389 dated 15.07.2015 under Sections 498-A, 406, 34 of IPC, registered at Police Station Saran, Faridabad, Haryana and all other subsequent proceedings on the basis of compromise between the parties dated 14.11.2022 (Annexure P-2).

As per the facts of the case, the complainant – Komal filed written complaint against her husband and in-laws family, alleging that she got married with Surender Singh on 13.11.2013. Her parents had spent Rs.15 Lacs on her

marriage. It was told that he was working in S.K.J. Hospital and was earning handsome salary. After marriage, she came to know that her husband had studied upto 12th class and was idle. Sometimes, he used to remain under drunkard condition. When she reached the matrimonial home, she was told that she had brought less dowry and their respect has been lowered in the society. He was expecting Santro car from her father. He used to tell her to bring gold ornaments by going to her parental house. She tried to make him understand that her parents were not in a position to satisfy their demands. She tolerated the behaviour of her husband and in-laws family. She was treated like a servant. Her husband used to ill-treat her time and again. She was beaten up and was locked in a room for two days. She tried to convince her husband but he did not listen to her. She became pregnant and gave birth to a son on 16.09.2014. Even then there was no change in their behaviour. On 29.04.2015 at about 9:00 PM, her mother and brother came to drop her in the matrimonial home. She was abused and beaten up by her in-laws family. They tried to snatch her child and was told to leave the house. With these allegations, the present FIR has been registered.

Learned State counsel has filed status report, which is taken on record.

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 Judicial Magistrate 1st Class, Faridabad dated 07.02.2023. 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-Surender Singh, Sovran Singh, Sheela Devi, Pawan Singh and Rekha Singh have also confirmed this fact in their separate statements.

Therefore, from the report of Judicial Magistrate 1st Class, Faridabad dated 07.02.2023 it is clear that the accused are neither involved in any other case nor have been declared as proclaimed offenders. The complaint was moved against Petitioners- Surender Singh, Sovran Singh, Sheela Devi, Pawan Singh and Rekha Singh but during investigation Rekha Singh and Pawan Singh were found to be innocent. The challan was presented against Surender Singh, Sovran Singh and Sheela Devi. 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 the disputes and started living together. They will be able to live in peace and harmony. It will end the 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.389 dated 15.07.2015 under Sections 498-A, 406, 34 of IPC, registered at Police Station Saran, Faridabad, Haryana 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