

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM-M-58107-2022

Date of decision : 16.03.2023

Amir Paul

..... Petitioner

V/S

State of Punjab and Anr.

..... Respondents

CORAM : HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present: Mr. P.S.Turi, Advocate for
Mr. Abdul Aziz, Advocate
for the petitioner.

Mr. Hemant Aggarwal, AAG, Punjab.

Mr. Pradeep Singh, Advocate for respondent No.2.

AMARJOT BHATTI J. (ORAL)

The petitioner- Amir Paul has filed the instant petition under Section 482 of Cr.P.C. for quashing of FIR No.16 dated 13.06.2022, under Section 498A of IPC, registered at Women Police Station, District Malerkotla and all other subsequent proceedings on the basis of compromise between the parties dated 03.12.2022 (Annexure P-2).

As per the facts of the case, the complainant – Fatima Khilji filed a written complaint regarding beating and maltreatment in the matrimonial home. She alleged that she got married with Amir Paul s/o Tanvir Paul according to Muslim Rites. The marriage was fixed with the intervention of Afshan Gauri

(sister of her husband) as her husband Abdul Sattar and her maternal uncle Abdul Rashid Khilji were friends. It was told that Amir Paul was working as a Manager and getting salary of Rs.40,000/- per month. They were told that her parents were not in a position to give dowry. Her parents performed her marriage as per their capacity in December, 2015. Her parents had given gold and silver ornaments and other articles as *Istridhan*. Later on, it was found that her husband was only 12th qualified and was idle. He was addicted to liquor and intoxicants. Her husband and in-laws family started taunting her for bringing less dowry. The other family members of her husband interfered in her married life. She was beaten up in the matrimonial home. She tried to adjust in the matrimonial home but she failed. On 15.12.2020, she was left in her parental house forcibly. In March, 2021 she visited the matrimonial home on the death of her father-in-law but she and her mother were turned out of the house. Ultimately, the complaint was filed and the present FIR has been registered.

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

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 Judicial Magistrate 1st Class, Malerkotla dated 12.01.2023. 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-Amir Paul also confirmed this fact in his separate statement. The statement of ASI Malkiat Singh 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 Judicial Magistrate 1st Class, Malerkotla 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 the disputes and started living together. They will be able to live in peace and harmony. 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 petitioner is accepted and FIR No.16 dated 13.06.2022, under Section 498A of IPC, registered at Women Police Station, District Malerkotla and the consequential proceedings arising therefrom are quashed.

Accordingly, the present petition stands accepted.

(AMARJOT BHATTI)
JUDGE

16.03.2023.

Sunil Devi

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