

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

131+307

CRM-M-59978-2022(O&M)
Date of decision :30.05.2023

Rattan Singh and Ors.

..... Petitioners

V/S

State of Haryana and Anr.

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. Sandeep Singh, Advocate
for the petitioners.

Ms. Mayuri Lakhanpal, DAG, Haryana.

Mr. Jugansh Goyal, Advocate for respondent No.2.

AMARJOT BHATTI J. (ORAL)

CRM-23293-2023

This is an application u/s 482 Cr.P.C. for placing on record copy of judgment dated 01.11.2022 passed by learned Principal Judge, Family Court, Rewari as Annexure P-5.

For the reasons stated in the application, the same is allowed. The accompanying documents as Annexure P-5 are taken on record.

CRM stands disposed of.

CRM-M-59978-2022(O&M)

The petitioners-Rattan Singh, Amarjeet Singh, Manjeet Kaur and Jaswinder Singh have filed the instant petition under Section 482 of Cr.P.C. for

quashing of FIR No.0490 dated 29.09.2018, under Sections 34, 406, 498-A, 506 of IPC, registered at Police Station Model Town Rewari, District Rewari, Haryana and all other subsequent proceedings on the basis of compromise between the parties.

As per the facts of the case, the complainant –Gagandeep filed a written application to the Superintendent of Police, District Rewari, alleging that she got married with Rattan Singh on 25.01.2015. She stayed with her husband from 25th January to 27th February. At the time of her marriage, her in-laws were given cash of Rs.81,000/- to purchase furniture of their choice. After marriage, the members of her in-laws family started raising demand for dowry. She was told that she did not bring anything at the time of marriage. They were raising demand for cash of Rs.3 lacs. She was maltreated in the matrimonial home on account of their demand for dowry. She was left in the house of her maternal uncle for one month but nobody came to take her back. Thereafter, her maternal uncle decided to drop her in her in-laws house. They reached the matrimonial home along with the mediator and his wife. Her maternal uncle assured her in-laws to satisfy their demands as per his capacity. There was no change in the behaviour of her husband and in-laws family. During this period, she became pregnant and gave birth to a son on 25.10.2015. After discharge, she went to her mother's house and stayed there from 29.10.2015 to 16.11.2015. They continued to maltreat her during her stay in the matrimonial home. On 15.02.2015, the entire family gave beating to her. They forcibly kept her child. She ran outside to save herself and went to the police station of Tilak Nagar. The police of Tilak Nagar police station told her to go to the police station of Harinagar. She called her mother and maternal uncle. They reached at Harinagar police station from Rewari. The matter

was again reconciled and she went to her in-laws house with her husband. Due to some misunderstanding her in-laws family called her parental family and she was sent back along with her maternal uncle. Since then, she is residing in her maternal uncle's house and doing a private job to look after herself and her child. She has narrated various incidents which took place in the matrimonial home. Her husband and in-laws family started proclaiming that she was having psychological problem. Ultimately, she filed this complaint and on the basis of which 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 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, Rewari dated 09.03.2023. 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- Rattan Singh, Amarjeet Singh, Manjeet Kaur and Jaswinder Singh have also confirmed this fact in their separate statements. The statement of ASI Archana 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, Rewari, 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 01.11.2022 (Annexure P-5). 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.0490 dated 29.09.2018, under Sections 34, 406, 498-A, 506 of IPC, registered at Police Station Model Town Rewari, District Rewari, Haryana 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