

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM-M-60901-2022

Date of decision : 21.03.2023

Asif

..... Petitioner

V/S

State of Punjab and Another

..... Respondents

CORAM : HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present: Mr. Sandeep Bansal, Advocate
for the petitioner.

Mr. Hemant Aggarwal, Asstt. A.G. Punjab.

Mr. Kanhiya Soni, Advocate for respondent No.2.

AMARJOT BHATTI J. (ORAL)

The petitioner- Asif has filed the instant petition under Section 482 of Cr.P.C. for quashing of FIR No.56 dated 10.03.2022, under Sections 406, 498-A of IPC, registered at Police Station Women, Police Commissionerate, Ludhiana and all other subsequent proceedings on the basis of compromise between the parties dated 08.09.2022 (Annexure P-2).

As per the facts of the case, the complainant – Amreen filed a written complaint against her husband Asif Ahmed and other members of the family, alleging that she got married on 27.08.2018 as per Muslim rites at Meerut. The marriage was performed by spending huge amount by her father. She has

mentioned the detail of gold ornaments and other articles given at the time of marriage. Her father had spent Rs.9/10 lacs at the time of marriage. The behaviour of all the accused was very bad towards her. She used to do the entire household work. She was not given proper food to eat. She tolerated the behaviour of her husband and in-laws family with the hope that better sense would prevail upon them. She gave birth to a daughter on 14.08.2020. Her father had given customary gifts. After the birth of daughter they started harassing her all the time. The father of the complainant with the intervention of respectables tried to make them understand. Ultimately, she was turned out of the house and on her complaint the present FIR has been registered.

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, Ludhiana dated 10.03.2023. 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-Asif also confirmed this fact in his separate statement. The statement of SI Raghuvir 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, Ludhiana, 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.56 dated 10.03.2022, under Sections 406, 498-A of IPC, registered at Police Station Women, Police Commissionerate, Ludhiana and the consequential proceedings arising therefrom are quashed.

Accordingly, the present petition stands accepted.

(AMARJOT BHATTI)
JUDGE

21.03.2023.
Sunil Devi

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