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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

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Date of decision : 04.04.2025

Vishal Chopra and Anr.

..... Petitioners

V/S

State of U.T. Chandigarh and Anr.

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. Arjun Veer Sharma, Advocate for
Mr. Ankit Gupta, Advocate for petitioners.

Mr. Anil Kumar Lamdharia, Add. P.P. UT, Chandigarh.

Mr. Pankaj Mehta, Advocate for respondent No.2.

AMARJOT BHATTI J. (ORAL)

1. Petitioner(s) filed petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 read with Section 482 of Cr.P.C. for quashing of FIR No.36 dated 04.04.2022, registered under Sections 406, 498-A of IPC, at City Women Police Station, Chandigarh (Annexure P-1) and all the subsequent proceedings arising therefrom, qua the petitioners, in light of the compromise effected between the parties dated 24.09.2024 (Annexure P-2).

2. As per facts of the case, complainant Priya Diwan filed written complaint against her husband Vishal Chopra and other members of in-laws family regarding harassment, maltreatment and violence at the hands of her husband and members of in-laws family on account of demand of dowry. Her marriage was performed with Vishal Chopra on 18.02.2019. It was arranged marriage. Parents of complainant had spent money to finalize bookings etc.

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Since brother of her husband had to go abroad for higher studies, Roka ceremony took place on 09.12.2018 followed by dinner in Hotel Sunbeam, Chandigarh. Cash money in the shape of shagun, jewellery etc. were given to the husband and his family and approximately Rs.20 Lacs were spent. Thereafter, marriage was performed on 18.02.2019 with great pomp and show by giving dowry articles as detailed in the FIR. Huge amount was spent on various occasions. During this period, she conceived. She was treated with physical and mental cruelty. She has narrated various incidents when she was illtreated in the matrimonial home. There was no change in their behaviour. With the passage of time, behaviour of her husband became indifferent. There was demand for huge cash amount. Her husband told her to start a job in case she wanted to live in the matrimonial home. By that time, she had given birth to a male child. She was turned out of the matrimonial home on 20.02.2020 by her husband on the instigation of other family members. Since then, she is residing in her parental house.

3. Petitioners filed this petition for quashing of aforesaid FIR on the basis of compromise. Vide order dated 10.02.2025, petitioners and respondent No.2 were directed to appear before the trial Court/Illaq Magistrate for recording their statements on the basis of compromise. Detailed report regarding compromise has been received from the court of Judicial Magistrate Ist Class, Chandigarh dated 19.03.2025. Statement of respondent No.2 has been recorded where she confirmed the compromise with petitioners. She confirmed that this compromise has been effected voluntarily and without any coercion and undue influence and she has no objection regarding quashing of FIR.



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4. Petitioners- Vishal Chopra and Alka Chopra also confirmed this fact in their separate statements. Statement of ASI Krishan Kumar is also recorded who confirmed that petitioners are not involved or declared as proclaimed offenders in any other criminal case.

5. Therefore, from the report of Judicial Magistrate Ist Class, Chandigarh, it is clear that compromise has been effected between the parties without any pressure, coercion or undue influence. They have mutually settled all their claims arisen from matrimonial dispute. They have decided to part ways by filing joint petition under Section 13-B of Hindu Marriage Act. Matter has been settled in Rs.12,50,000/- out of which Rs.6,50,000/- were already paid by petitioner to complainant at the time recording of first motion statements and balance amount of Rs.6,00,000/- will be paid at the time of recording of final statements. Thereafter, they will be able to live independently in peace and harmony. No purpose would be served with the continuation of criminal proceedings.

6. Gainful reference can be made to the judgment of Larger Bench of Five Judges of this High Court cited in **2007(3) R.C.R. (Criminal) 1052 tilted as Kulwinder Singh and Ors. Vs. State of Punjab and Anr.**, where it was explained that ‘there can never be any hard and fast category which can be prescribed to enable the court to exercise its power under Section 482 of Cr.P.C. The only principle that can be laid down is the one which has been incorporated in the section itself i.e. to prevent abuse of the process of any court or to secure the ends of justice.’



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7. Therefore, by relying upon the ratio of the aforesaid judgment, no purpose would be served with the continuation of criminal proceedings. Considering these facts, the petition filed by the petitioner is accepted and FIR No.36 dated 04.04.2022, registered under Sections 406, 498-A of IPC, at City Women Police Station, Chandigarh (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua petitioners.

(AMARJOT BHATTI)
JUDGE

04.04.2025.

Sunil Devi

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