



CRM-M-1800-2025

-1-

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

260

CRM-M-1800-2025

Date of decision : 01.05.2025

Dinesh @ Dinesh Kumar and Ors.

..... Petitioners

V/S

State of Haryana and Anr.

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. Ajay Kumar Dahiya, Advocate for petitioners.

Ms. Nidhi Garg, AAG, Haryana.

Mr. Sanjeev Majra, Advocate for respondent No.2.

AMARJOT BHATTI J. (ORAL)

1. Petitioners- Dinesh @ Dinesh Kumar, Prem, Geeta and Kamal have filed this petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of FIR No.40 dated 28.06.2020, registered under Sections 323, 34, 354, 498-A of IPC, at Police Station Women West Gurugram, District Gurugram (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise effected between the parties dated 02.12.2024 (Annexure P-2).

2. As per facts of the case, complainant Seema filed written complaint against her husband and in-laws family regarding maltreatment on account of demand of dowry. She got married with Dinesh @ Dinesh Kumar on 16.01.2015. Out of this wedlock, she is having a son aged about 03 years. During her stay in the matrimonial home, she was taunted for bringing less dowry. Her brother-in-

**CRM-M-1800-2025****-2-**

law used to consume liquor and kept bad eye on her. His behaviour was inappropriate on many occasions. She disclosed this fact to her husband who in return gave her beating. She was compelled to leave the matrimonial home and started residing with her widow mother. Finally, she filed the present complaint on the basis of which present FIR has been registered.

3. Petitioners filed this petition for quashing of aforesaid FIR on the basis of compromise. Vide order dated 15.01.2025, 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, Gurugram dated 20.02.2025. 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.

4. Petitioners- Dinesh @ Dinesh Kumar, Prem, Geeta and Kamal also confirmed this fact in their joint statement. Statement of L/HC Seema 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, Gurugram, 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.6,50,000/- out of which Rs.3,50,000/- were already paid by petitioners to complainant at the time of recording of first motion statements and



CRM-M-1800-2025

-3-

balance amount of Rs.3,00,000/- will be paid at the time of recording of second motion 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.’

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 petitioners is accepted and FIR No.40 dated 28.06.2020, registered under Sections 323, 34, 354, 498-A of IPC, at Police Station Women West Gurugram, District Gurugram (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua petitioners.

(AMARJOT BHATTI)
JUDGE

01.05.2025.

Sunil Devi

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