



CRM-M-752-2025 (O&M)

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

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CRM-M-752-2025(O&M)

Date of decision : 24.03.2025

Varun and Ors.

..... Petitioners

V/S

State of Haryana and Anr.

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. Govind Chauhan, Advocate for petitioners.

Ms. Nidhi Garg, AAG, Haryana.

Mr. Himanshu Choudhary, Advocate for
respondent No.2.

AMARJOT BHATTI J. (ORAL)**CRM12171-2025**

This is an application u/s 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for placing on record copy of petition i.e. CRM-M-41976-2021 titled as 'Madan Lal and Ors. Vs. State of Haryana' as Annexure A-1.

For the reasons stated in the application, same is allowed.
Accompanying document as Annexure A-1 is taken on record.

Application is disposed of accordingly.

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1. Petitioners- Varun, Madan Lal, Renu Bala and Pankaj have filed instant petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of FIR No.167 dated 05.08.2019, under Sections 323, 406, 498-A, 506 and 34 of IPC, registered at Women Police Station, Panipat (Annexure P-1)



and all subsequent proceedings arising therefrom on the basis of compromise dated 30.08.2024 (Annexure P-2).

2. As per facts of the case, complainant Reetu gave her statement that she got married with Varun about 05 years ago. After some time, her husband and in-laws family started harassing her and was even physically assaulted. He snatched all her jewellery and used to beat her under the influence of liquor. She filed application before Women Cell where he apologized. She returned to her matrimonial home where the accused persons again started misbehaving with her. About 15-20 days ago, she was left along with her children on G.T. Road, Panipat. Her parents had spent money on her marriage beyond their capacity. Thereafter, she filed the present complaint.

3. Petitioners filed this petition for quashing of aforesaid FIR on the basis of compromise. Vide order dated 13.01.2025, 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, Panipat dated 30.01.2025. Statement of respondent No.2 has been recorded (through V.C.) duly identified by her father and her counsel, where she confirmed the compromise with petitioners. She confirmed that this compromise has been effected voluntarily, without any coercion or undue influence and she has no objection regarding quashing of FIR. Petitioners- Varun, Pankaj, Renu Bala and Madan Lal also confirmed this fact in their joint statement.

4. As per the report received from learned Judicial Magistrate Ist Class, Panipat accused Varun was arrested whereas accused Madan Lal, Renu Bala and Pankaj were declared proclaimed persons and another FIR No.490 dated



12.08.2021 was registered under Section 174-A of IPC, at Police Station City, Panipat. This fact is also confirmed in the status report dated 14.02.2025.

Learned counsel representing petitioners placed on record copy of order dated 06.11.2024 passed in CRM-M-41976-2021 (Annexure P-5) whereby impugned order dated 29.10.2020 declaring them as proclaimed persons was set aside and they accordingly appeared before learned trial Court for facing trial. The names of petitioners are also clarified from the copy of petition (Annexure A-1). Therefore, at present all the petitioners are appearing before learned trial Court.

5. Therefore, from the report of Judicial Magistrate Ist Class, Panipat, 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 filed joint petition under Section 13-B of Hindu Marriage Act and their marriage was dissolved vide judgment dated 12.08.2021. Now, 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.167 dated 05.08.2019, under Sections 323, 406, 498-A, 506 and 34 of IPC, registered at Women Police Station, Panipat (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua petitioners.

(AMARJOT BHATTI)
JUDGE

24.03.2025.

Sunil Devi

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