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

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Date of decision : 28.03.2025

Himanshu Arora

..... Petitioner

V/S

State of Haryana and Anr.

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. Kunal Muthreja, Advocate for petitioner.

Ms. Nidhi Garg, AAG, Haryana.

Mr. Pulkit Dagar, Advocate and
Mr. Akashay Kumar Dahiya, Advocate for
respondent No.2.

AMARJOT BHATTI J. (ORAL)

1. Petitioner- Himanshu Arora has filed instant petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of FIR No.0229 dated 02.10.2022, under Sections 323, 34, 354-A, 406, 498-A & 506 of IPC, 1860 registered at Women Police Station N.I.T., District Faridabad, Haryana (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 10.12.2024 (Annexure P-2).

2. As per facts of the case, complainant Bhanu Priya filed complaint against her husband Himanshu Arora and other members of in-laws family. She alleged that her marriage was performed with Himanshu Arora on 05.10.2009. Her father had already expired. Her mother had spent huge money on her marriage and she was given dowry articles. Taking advantage of the fact that her mother was widow, her husband and in-laws family started harassing her by raising demand for more dowry. Out of this wedlock, she is having a son aged



about 10 years. Her husband has fallen in bad habits and in this connection her mother tried to give him monetary help. She is being abused and beaten up in routine to satisfy his demand for more money. Even her brother-in-law keep bad eye on her. All her dowry articles are misappropriated. She is under mental stress. She has narrated various incidents which took place in the matrimonial home. She had filed a complaint against her husband. The accused persons are keeping an eye on her mother's property. On one occasion, she was attacked by her husband. She levelled allegations of physical and mental harassment. With these allegations, present FIR has been registered.

3. Petitioner filed this petition for quashing of aforesaid FIR on the basis of compromise. Vide order dated 03.02.2025, petitioner 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, Faridabad dated 18.02.2025. Statement of respondent No.2 has been recorded where she confirmed the compromise with petitioner. She confirmed that this compromise has been effected without any pressure, undue influence, fraud or coercion and she has no objection regarding quashing of FIR.

4. Petitioner- Himanshu Arora also confirmed this fact in his separate statement. Statement of HC Sheela is also recorded who confirmed that petitioner is not involved or declared as proclaimed offender in any other criminal case.

5. Therefore, from the report of Judicial Magistrate Ist Class, Faridabad, it is clear that compromise has been effected between the parties without any pressure, coercion or undue influence. They have mutually settled



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all their claims arisen from matrimonial dispute and decided to part ways. Now, they will be able to live independently in peace and harmony. It will end the litigation started between them. 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 petitioner is accepted and FIR No.0229 dated 02.10.2022, under Sections 323, 34, 354-A, 406, 498-A & 506 of IPC, 1860 registered at Women Police Station N.I.T., District Faridabad, Haryana (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua petitioner.

(AMARJOT BHATTI)
JUDGE

28.03.2025.

Sunil Devi

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