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

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Date of decision : 22.04.2025

Sumit Kumar

..... Petitioner

V/S

State of Punjab and Anr.

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. Arpan Sabharwal, Advocate for petitioner.

Mr. Kunwarbir Singh, Assistant A.G. Punjab.

Mr. Ashish Pandey, Advocate for respondent No.2.

AMARJOT BHATTI J. (ORAL)

1. Petitioner- Sumit Kumar has filed instant petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of FIR No.28 dated 19.02.2021, under Sections 498-A, 452, 427, 506 of IPC, registered at Police Station City Nakodar, District Jalandhar Rural, Punjab (Annexure P-1) and all subsequent proceedings arising therefrom, on the basis of compromise deed dated 16.01.2025 (Annexure P-2).

2. As per facts of the case, Harleen Kaur gave her statement that she was teaching in a Convent School at Nakodar. She got married with Sumit Kumar on 19.10.2015. Out of this wedlock, she is having a child Kashish aged about 04 years. Her husband Sumit Kumar was addicted to Alcohol. He used to illtreat her under the influence of liquor and raised demand for more dowry. On her marriage, her parents had spent money beyond their capacity. They had given gold ornaments, furniture, electrical appliances and other household articles. Her husband was taking money from her parents. Due to the harassment caused to

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her, she started residing in her parental house. Thereafter, her husband started giving threats to harm her family and to throw acid on her. Ultimately, she lodged report with the police.

3. Petitioner filed this petition for quashing of aforesaid FIR on the basis of compromise. Vide order dated 27.01.2025, 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 Sub Divisional Judicial Magistrate, Nakodar dated 21.03.2025. Statement of respondent No.2 has been recorded where she confirmed the compromise with petitioner. She confirmed that this compromise has been effected voluntarily, without any coercion or undue influence and she has no objection regarding quashing of FIR.

4. Petitioner- Sumit Kumar also confirmed this fact in his statement. Statement of ASI Rajinderpal Singh is also recorded who confirmed that petitioner is not declared as proclaimed offender in the present case. He further stated that FIR No.309 dated 16.09.2017, under Section 22 of NDPS Act, registered at Police Station Sadar, Nakodar was registered against present petitioner.

5. Therefore, from the report of Sub Divisional Judicial Magistrate, Nakodar, 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. They have decided to part ways by filing joint petition under Section 13-B of Hindu Marriage Act. Thereafter, they will be able to live in peace and harmony. It will end the litigation started between them. No purpose would be served with the continuation of criminal proceedings.



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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.28 dated 19.02.2021, under Sections 498-A, 452, 427, 506 of IPC, registered at Police Station City Nakodar, District Jalandhar Rural, Punjab (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua petitioner.

(AMARJOT BHATTI)
JUDGE

22.04.2025.*Sunil Devi*

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