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

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Date of decision : 08.05.2025

Satwinder Singh

..... Petitioner

V/S

State of Chandigarh UT and Anr.

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. Maninder Arora, Advocate for petitioner.

Ms. Vasundhra Dalal Anand, APP, UT, Chandigarh.

Mr. Harmeet Singh, Advocate for respondent No.2.

AMARJOT BHATTI J. (ORAL)

1. Petitioner-Satwinder Singh filed this petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of FIR No.0131 dated 10.09.2024 (Annexure P-1), registered under Section 498-A of IPC, at Women Police Station, Chandigarh and all the subsequent proceedings arising therefrom, qua petitioner, in light of the compromise effected between the parties dated 27.11.2024 (Annexure P-2).

2. As per facts of the case, complainant Damanpreet Kaur filed written complaint against her husband Satwinder Singh and other members of in-laws family, alleging that her marriage was performed with Satwinder Singh on 14.03.2022 at Chandigarh. The marriage was fixed with intervention of Raj Kaur who was known to Paramjit Kaur. Paramjit Kaur projected that Satwinder Singh was permanent resident of Italy and belonged to a decent family. It was further stated that after marriage he would take his wife to Italy. The complainant had done Diploma in Medical Lab Technician and was working as Lab Technician in General Hospital, Sector 16, Chandigarh. Their marriage was fixed. Paramjit



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Kaur asked her father that instead of spending money on marriage function, they should give money in cash as huge amount is required to get permanent residency in Italy. Engagement ceremony took place in which her parents had given *shagun* in cash as per their desire. Marriage was performed and again cash of Rs.1 Lac was given as *shagun* to her husband. All her dowry articles were entrusted to her husband and his family members consisting of gold ornaments. During her stay in the matrimonial home, she was unhappy with her husband because of his rude behaviour and used to torture her on one pretext or the other. Their marriage was not consummated. Later on, she realized that her husband was in a habit of drinking and consuming tobacco etc. Her parents and relatives insisted Satwinder Singh to take her to the matrimonial home but till date she is not permitted to enter the house. She was told to clear IELTS exam for applying for visa. She cleared her IELTS exam with 6 bands. In June 2022, her husband raised demand of Rs.6 Lacs from her father on account of expenses for procuring visa for Italy. Her parents arranged Rs.6 Lacs and handed over to Paramjit Kaur. Even then, her husband was not sharing details of visa application. Ultimately, she refused to satisfy their illegal demand. Her husband stopped taking her calls. Her parents approached the family of her husband who further raised demand of Rs.20 Lacs. They tried to convince her in-laws family but they refused to listen to their request. She started receiving defamatory fake post on facebook from unknown ID. Complaint was lodged with Cyber Cell, Chandigarh. She is being continuously harassed by her husband. Ultimately, the complaint was filed.

3. Petitioner filed this petition for quashing of aforesaid FIR on the basis of compromise. Vide order dated 05.03.2025, petitioner and respondent No.2 were directed to appear before the trial Court/Illaq Magistrate for



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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 01.04.2025. Statement of respondent No.2 has been recorded where she confirmed the compromise with petitioner. She confirmed that this compromise has been effected voluntarily and without any coercion and undue influence and she has no objection regarding quashing of FIR.

4. Petitioner- Satwinder Singh also confirmed this fact in his separate statement. Statement of ASI Hira Singh 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, 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.3,00,000/- out of which Rs.2,00,000/- were already paid by petitioner to complainant at the time of recording of first motion statements and balance amount of Rs.1,00,000/- 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

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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.0131 dated 10.09.2024 (Annexure P-1), registered under Section 498-A of IPC, at Women Police Station, Chandigarh and all other consequential proceedings arising therefrom are quashed qua petitioner.

(AMARJOT BHATTI)
JUDGE

08.05.2025.*Sunil Devi*

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