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

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Date of decision : 01.05.2025

Rohan Garg and Ors.

..... Petitioners

V/S

State of Haryana and Anr.

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Ms. Jyoti Chahal, Advocate for petitioners.

Ms. Nidhi Garg, AAG, Haryana.

Ms. Nidhi Dahiya, Advocate for
Mr. Ravi Guriar, Advocate for respondent No.2.

AMARJOT BHATTI J. (ORAL)

1. Petitioners- Rohan Garg, Ramkumar Garg, Sunita Garg and Shubham Garg have filed this petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of FIR No.185 dated 06.08.2024, registered under Sections 323, 34, 498-A, 506 of IPC, at Police Station Linepar Bahadurgarh, District Jhajjar (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise effected between the parties dated 24.01.2025 (Annexure P-2).

2. As per facts of the case, complainant Suruchi Aggarwal filed written complaint against her husband Rohan Garg and other members of in-laws family. She alleged that her marriage was performed with Rohan Garg on 27.06.2020.

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Her parents had given dowry as per their capacity. Soon after marriage her husband and in-laws started harassing her for bringing less dowry. Her father-in-law raised demand of Rs.10 Lacs from her father on phone. Her father was unable to satisfy this demand. Her mother-in-law and father-in-law quarreled with her and told that they will perform marriage of their son again. Her husband also pressurized her to bring a car and money from her parental house. She is well qualified lady having done Ph.D. and was working as Scientist in an Institution of the Central Government i.e. Indian Council of Medical Research (ICMR) near AIIMS New Delhi. In September 2022, her father borrowed money and had given Rs.8 Lacs whereas she had withdrawn Rs.6 Lacs from her bank account for purchasing a flat in her name. Her husband after taking bank loan purchased the flat in his own name and the installments are being paid from her salary. Her gold jewellery was also snatched by her husband. Despite all this, she was continuously harassed to compel her to bring money from her parental house. She was turned out of the house on 15.06.2023 after giving beating. All her dowry articles have been misappropriated. Thereafter, the complaint was filed, 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 10.02.2025, 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 Sub Divisional Judicial Magistrate, Bahadurgarh dated 04.03.2025. 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



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coercion and undue influence and she has no objection regarding quashing of FIR.

4. Petitioners- Rohan Garg, Ramkumar Garg, Sunita Garg and Shubham Garg also confirmed this fact in their separate statements. Statement of L/HC Sushila 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 Sub Divisional Judicial Magistrate, Bahadurgarh, 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.15,00,000/- out of which Rs.7,50,000/- were already paid by petitioners to complainant at the time of recording of first motion statements and balance amount of Rs.7,50,000/- 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.'



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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.185 dated 06.08.2024, registered under Sections 323, 34, 498-A, 506 of IPC, at Police Station Linepar Bahadurgarh, District Jhajjar (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