



CRM-M-8454-2025

-1-

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

280

CRM-M-8454-2025

Date of decision : 08.04.2025

Amit Jain and Ors.

..... Petitioners

V/S

State of Punjab and Anr.

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. Aayush Gupta, Advocate and
Ms. Priya Goswami, Advocate for petitioners.

Mr. Baljinder Singh, DAG, Punjab.

Ms. Niharika Almadi, Advocate for respondent No.2.

AMARJOT BHATTI J. (ORAL)

1. Petitioners- Amit Jain, Ramesh Kumar Jain, Anita Jain and Pallavi Jain have filed petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of FIR No.0060 dated 26.06.2023, registered under Sections 323, 342, 498-A, 34 of IPC, at Police Station Division 4, District Police Commissionerate, Ludhiana (Annexure P-1) and all the subsequent proceedings arising therefrom, qua the petitioners, in light of the compromise effected between the parties dated 04.02.2025 (Annexure P-2).

2. As per facts of the case, complainant Mehak Jain @ Jyoti Bajaj gave her statement that she got married with Amit Jain in the year 2016. Out of this wedlock, she is blessed with a son Rohit Jain aged about 05 years. After two years of marriage, her in-laws family started harassing her for bringing less dowry. Her father expired in the year 2015. She belonged to a poor family and could not satisfy their illegal demands. On 23.06.2023 when she was present in her in-laws house, her husband along with other family members confined her in a room and



gave her beating. She was rescued by her *Jethani*/sister-in-law. She also received injuries. Her minor son was kept by them. Her nephew Sahil Sharma took her to Civil Hospital, Ludhiana where she was medically examined. With these allegations, present FIR has been registered.

3. Petitioners filed this petition for quashing of aforesaid FIR on the basis of compromise. Vide order dated 14.02.2025, 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 Judicial Magistrate Ist Class, Ludhiana dated 11.03.2025. 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 coercion and undue influence and she has no objection regarding quashing of FIR.

Learned counsel representing State has filed status report, which is taken on record.

4. Petitioners- Amit Jain, Ramesh Kumar Jain, Anita Jain and Pallavi Jain also confirmed this fact in their joint statement. Statement of ASI Sukhdev Raj 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 Judicial Magistrate Ist Class, Ludhiana, 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 and started living together. 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.



CRM-M-8454-2025

-3-

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.0060 dated 26.06.2023, registered under Sections 323, 342, 498-A, 34 of IPC, at Police Station Division 4, District Police Commissionerate, Ludhiana (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua petitioners.

(AMARJOT BHATTI)
JUDGE

08.04.2025.

Sunil Devi

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No