



CRM-M-9168-2025

-1-

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

296

CRM-M-9168-2025

Date of decision : 21.05.2025

Ashish

..... Petitioner

V/S

UT, Chandigarh and Anr.

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. Naresh Chander, Advocate for petitioner.

Mr. Tapan Masta, APP, UT, Chandigarh.

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

AMARJOT BHATTI J. (ORAL)

1. Petitioner- Ashish filed this petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of FIR No.0012 dated 07.02.2024, registered under Sections 406 & 498-A of IPC, at Women Police Station, Chandigarh and all the subsequent proceedings arising therefrom, qua the petitioner, in light of the compromise effected between the parties dated 09.12.2024 (Annexure P-2).

2. As per facts of the case, complainant Anu Chopra filed written complaint against her husband Ashish and other members of in-laws family. It is submitted that her marriage was solemnized with Ashish on 21.08.2022 at Amritsar. She was given dowry articles as detailed in the list of dowry articles. After marriage for two weeks everything remained normal but thereafter, her husband and in-laws family started showing their true colours. She has narrated various incidents which took place in the matrimonial home from time to time. Her husband and sister-in-law used to consume liquor and she was compelled to bring Honda City car from her parents. She was continuously illtreated in the



matrimonial home. She also saw her husband and sister-in-law in objectionable condition. When she protested the issue, her husband tried to make her understand that she was under the influence of intoxicant substance. Her husband was addicted to liquor and drugs. Even her brother-in-law used to make sexual advances towards her. Her husband did not listen to her problems. Even her mother-in-law knew about the aforesaid activities. There was constant demand for Honda City car and when she could not satisfy this demand, she was beaten up. Ultimately, the matter was reported to the police and present FIR was registered.

3. Petitioner filed this petition for quashing of aforesaid FIR on the basis of compromise. Vide order dated 18.02.2025, 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, 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- Ashish also confirmed this fact in his separate statement. Statement of ASI Satish Kumar 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.1,00,000/- out of which Rs.50,000/- were to be paid by petitioner to complainant at the time of recording of first motion statements and balance amount of Rs.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 titled 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 of FIR No.0012 dated 07.02.2024, registered under Sections 406 & 498-A of IPC, at Women Police Station, Chandigarh and all subsequent proceedings arising therefrom are quashed qua petitioner.

(AMARJOT BHATTI)
JUDGE

21.05.2025.

Sunil Devi

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