



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

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CRM-M-9581-2025

Date of decision : 03.07.2025

SHUBHAM

..... Petitioner

V/S

STATE OF HARYANA AND OTHERS

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. Namit Khurana, Advocate for petitioner.

Mr. Sulinder Kumar, DAG, Haryana.

Mr. Abhinav Rawal, Advocate respondents No.2 and 3.

AMARJOT BHATTI J. (ORAL)

1. Petitioner- Shubham has filed instant petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of FIR No. 954 dated 28.09.2023 under Sections 498-A/406/323/506/147 and 149 of IPC, registered at Police Station Karnal Sadar, District Karnal (Annexure P-1) and all other proceedings arising therefrom, on the basis of settlement between the parties dated 06.02.2025 (Annexure P-2).

2. As per facts of the case, Bhupinder Singh complainant/respondent No.2 filed written complaint alleging that marriage of his daughter Kritika was performed with Shubham in February, 2022. After 3 months of marriage his daughter informed that her husband was addicted to drugs and was beaten up. Earlier his daughter did not tell anything about the conduct of her husband. The parents of the boy started pressurizing his daughter to bring money for going abroad. The husband started levelling false allegations and used to beat her. His daughter sustained injury. Effort was made to settle the dispute with the intervention of family members. His daughter remained admitted in CHC



Kunjpura on account of injury suffered by her. The complainant had gone there to take care of his daughter, however he was threatened by in-laws family members. Ultimately, the matter was reported to the police and present FIR has been registered.

3. Petitioner filed this petition for quashing of aforesaid FIR on the basis of compromise. Vide order dated 19.02.2025, petitioner and respondents No.2 and 3 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 Additional Chief Judicial Magistrate, Karnal, dated 20.03.2025. Joint statement of respondents No.2 and 3 has been recorded where they confirmed the compromise with petitioner. They confirmed that this compromise has been effected voluntarily, without any coercion or undue influence and they have no objection regarding quashing of FIR.

Learned counsel representing State already filed status report through Registry, which is taken on record.

4. Petitioner- Shubham also confirmed this fact in his separate statement. Statement of SI Nafe 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 Addition Chief Judicial Magistrate, Karnal, 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.1,50,000/- were to be paid by



petitioner to respondent No.2 at the time of recording of first motion statements and balance amount of Rs.1,50,000/- 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.'

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. 954 dated 28.09.2023 under Sections 498-A/406/323/506/147 and 149 of IPC, registered at Police Station Karnal Sadar, District Karnal (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua petitioner.

8. Pending miscellaneous application, if any, shall also stands disposed of accordingly.

(AMARJOT BHATTI)
JUDGE

03.07.2025.
monika

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