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

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Date of decision : 01.05.2025

Sunil @ Sunil Kumar and Anr.

..... Petitioners

V/S

State of Haryana and Anr.

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. Kapish Singla, Advocate for petitioners.

Ms. Nidhi Garg, AAG, Haryana.

Ms. Diksha, Advocate for
respondent No.2.

AMARJOT BHATTI J. (ORAL)

1. Petitioners- Sunil @ Sunil Kumar and Anguri Devi filed instant petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of FIR No.308 dated 29.08.2017, under Sections 498-A, 506, 406 and 34 of IPC, 1860, registered at Police Station Murthal, District Sonapat (Annexure P-1) on the basis of compromise dated 05.02.2025 (Annexure P-2).

2. As per facts of the case, complainant Sunita @ Sunita Rani alleged that she got married with Sunil Kumar on 27.11.2009. Out of this wedlock she is having 02 children. She is harassed by her in-laws family and had complained about it on 18.04.2017. One compromise/agreement was effected in Police Station Murthal on 18.06.2017. There was no change in their behaviour. Her husband did not provide money for running the household expenditure as well as school fee for the children. She was beaten up by the in-laws family. Thereafter,

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the matter was reported to the police. 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 27.02.2025, 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 Chief Judicial Magistrate, Sonapat dated 21.03.2025. Statement of respondent No.2 has been recorded where she confirmed the compromise with petitioners. She confirmed that this compromise has been effected without any pressure from any quarter and she has no objection regarding quashing of FIR.

4. Petitioners- Sunil @ Sunil Kumar and Anguri Devi have also confirmed this fact in their separate statements. Statement of ASI Menka 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 Chief Judicial Magistrate, Sonapat, 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.2,00,000/- out of which Rs.20,000/- were already paid by petitioners to complainant at the time of recording of first motion statements and balance amount of Rs.1,80,000/- will be paid at the time of recording of second motion statements. Thereafter, they will be able to live independently in peace and



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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 petitioners is accepted and FIR No.308 dated 29.08.2017, under Sections 498-A, 506, 406 and 34 of IPC, 1860, registered at Police Station Murthal, District Sonapat (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