



CRM-M-13496-2025

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

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CRM-M-13496-2025

Date of decision : 23.05.2025

Dheeraj Garg

..... Petitioner

V/S

State of Haryana and Anr.

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. Brajesh Kumar Kaundal, Advocate for petitioner.

Mr. Sidhant, AAG, Punjab.

Mr. Atul Goyal, Advocate for respondent No.2.

AMARJOT BHATTI J. (ORAL)

1. Petitioner-Dheeraj Garg has filed petition under Section 528 of *Bharatiya Nagarik Suraksha Sanhita, 2023* for quashing of FIR No.385 dated 05.12.2022 (Annexure P-1), registered under Sections 34, 406, 498-A, 506 of IPC, 1860 at Police Station City Pehowa, Kurukshetra and all the subsequent proceedings arising therefrom, qua the petitioner, in light of the compromise effected between the parties dated 19.02.2025 (Annexure P-2).

2. As per facts of the case, complainant Shefali Kansal @ Nidhi filed written complaint alleging that her marriage was performed with Dheeraj Garg on 09.05.2022. Accused No.2 to 5 are the members of her in-laws family. Prior to marriage, she was suffering from vitiligo having a small patch on her foot and this fact was disclosed to her in-laws family. She was well qualified having done M.Sc. (Microbiology) whereas her husband was B.Tech. The marriage was



performed as per their demand. The complainant has given detail of articles, jewellery, *shagun* amount, costly gifts given during various ceremonies and at the time of marriage. After marriage, she realized that her in-laws family was greedy and they started taunting her for bringing less dowry. They raised objection regarding her ailment and raised demand for cash of Rs.50 Lacs and Innova vehicle. Her parents had already spent huge money and they were unable to satisfy their further demands. She was illtreated in the matrimonial home continuously and multiple allegations were levelled against her. She has narrated various incidents which took place in the matrimonial home in order to harass and humiliate her. Her father satisfied some of the demands raised by her in-laws. Even then there was no change in their behaviour. Since, 09.06.2022, she is residing in her parental house. All efforts to effect compromise failed and finally, she filed this complaint. With these allegations, present FIR has been registered.

3. Petitioner filed this petition for quashing of aforesaid FIR on the basis of compromise. Vide order dated 11.03.2025, 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, Pehowa dated 20.05.2025. 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.

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



4. Petitioner- Dheeraj Garg also confirmed this fact in his separate statement. Statement of HC Harvinder Kaur 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, Pehowa, 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 to be paid by petitioner to complainant at the time of recording of first motion statements and balance amount of Rs.7,50,000/- will be 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.



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Considering these facts, the petition filed by the petitioner is accepted and of FIR No.385 dated 05.12.2022 (Annexure P-1), registered under Sections 34, 406, 498-A, 506 of IPC, 1860 at Police Station City Pehowa, Kurukshetra and all subsequent proceedings arising therefrom are quashed qua petitioner.

(AMARJOT BHATTI)
JUDGE

23.05.2025.

Sunil Devi

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