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

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Date of decision : 07.07.2025

Parveen Kumar and Ors.

..... Petitioners

V/S

State of Haryana and Anr.

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. Dhruv Mittal, Advocate for petitioners.

Mr. Sulinder Kumar, DAG, Haryana

Mr. Divij Datt, Advocate for respondent No.2.

AMARJOT BHATTI J. (ORAL)

1. Petitioners – Parveen Kumar, Suresh Singh, Pardeep Kumar @ Pardeep, Burshali and Savita Kumari have filed this petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of FIR No.72 dated 17.02.2024, registered under Sections 34, 406, 498-A, 509 of IPC, at Police Station Badshahpur, District Gurugram (Annexure P-1) and all the subsequent proceedings arising there from, qua the petitioners, in light of the compromise effected between the parties dated 17.01.2025 (Annexure P-2).
2. As per facts of the case, complainant Preeti filed written complaint against her husband Parveen Kumar and other members of the in-laws family regarding harassment on account of demand of dowry and causing domestic

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violence, physical and mental cruelty. It is pointed out that her marriage was performed with Parveen Kumar on 22.01.2014. Her parents had given sufficient dowry as per their capacity. All dowry articles remained in the possession of her husband and members of in-laws family. They all started harassing her on account of their demand for more dowry. During this period, she gave birth to a son who is about 08 years of age. She looked after her son single handedly. She was illtreated in the matrimonial home nor she was provided proper medical treatment for her sickness. There was demand for money to buy property in India and for settling abroad. Finally, her husband left for USA. She remained quite to save her marriage. On 27.02.2017 as per his plan, she was convinced to visit her parental house for few days and thereafter, she was not brought back. She came to know that her husband was planning to leave for USA by leaving her and her child in India. She tried to contact her husband. She did not get any financial support for herself and for her child. She kept on sending e-mails and WhatsApp messages to which, he never replied. She has narrated various incidents and the efforts made by her to convince her husband. Finally, she filed this complaint and present FIR was registered.

3. Petitioners filed this petition for quashing of aforesaid FIR on the basis of compromise. Vide order dated 27.03.2025, 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, Gurugram dated 09.06.2025. Statement of respondent No.2 has been recorded where she confirmed the compromise with petitioners. She confirmed that this



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compromise has been effected voluntarily, without any coercion or undue influence and she has no objection regarding quashing of FIR.

4. Petitioners- Parveen Kumar, Suresh Singh, Pardeep Kumar @ Pardeep, Burshali and Savita Kumari also confirmed this fact in their joint statement. Statement of SI Kailash 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, Gurugram 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.30,00,000/-. 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 petitioners is accepted and FIR No.72 dated 17.02.2024, registered under Sections 34, 406, 498-A, 509 of IPC, at Police Station Badshahpur, District Gurugram (Annexure P-1) and all subsequent proceedings arisen therefrom are quashed qua petitioners.

(AMARJOT BHATTI)
JUDGE

07.07.2025.

Sunil Devi

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