



CRM-M-15346-2025

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

247

CRM-M-15346-2025

Date of decision : 23.05.2025

Harkirat Singh

..... Petitioner

V/S

State of Punjab and Anr.

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. Ankit Chauhan, Advocate for petitioner.

Ms. Amrit Kaur Mahir, AAG, Punjab.

Ms. Harjot Goyal, Advocate for
Mr. Kulbir Dalal, Advocate for respondent No.2.

AMARJOT BHATTI J. (ORAL)

1. Petitioner- Harkirat Singh filed this petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of FIR No.02 dated 22.01.2025, registered under Sections 316(2), 85 BNS 2023, at Women Police Station, District Patiala (Annexure P-1) and all the subsequent proceedings arising therefrom, qua the petitioner, in light of the compromise effected between the parties dated 28.02.2025 (Annexure P-2).

2. As per facts of the case, complainant Kirandeep Kaur filed written complaint against her husband Harkirat Singh and other members of in-laws family alleging that her marriage was performed with Harkirat Singh on 27.08.2023. Their marriage was performed with a gap of 08 days at the instance of accused persons. Her parents had given gold ornaments and costly clothes at the time of marriage as detailed in the FIR. After marriage, she was taunted for not bringing dowry. She tolerated the harassment of her in-laws family. Her husband used to threaten to divorce her. She faced continuous harassment in the matrimonial home. Her brother-in-law and sister-in-law (Jethani) went to



Canada and on that account, her husband and mother-in-law started raising demand for cash of Rs.5 Lacs. They further raised demand for Bullet motorcycle. She explained that she was unable to satisfy this demand. Thereafter, she was turned out of the house on 05.10.2024. She stayed in the house of her *Bua Sas* and on the next day, she called her parents. She was forcibly sent to her parental house and nobody came to see her. Finally, she filed this complaint.

3. Petitioner filed this petition for quashing of aforesaid FIR on the basis of compromise. Vide order dated 20.03.2025, 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, Patiala dated 08.04.2025. 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- Harkirat Singh also confirmed this fact in his separate statement. Statement of HC Rahul 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, Patiala, 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.3,50,000/- out of which Rs.2,00,000/- were to be paid by petitioner to complainant 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 of FIR No.02 dated 22.01.2025, registered under Sections 316(2), 85 BNS 2023, at Women Police Station, District Patiala (Annexure P-1) 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