

CRM-M-16220-2025

-1-

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

272

CRM-M-16220-2025

Date of decision : 03.07.2025

Sachin Aggarwal and Ors.

..... Petitioners

V/S

State of Punjab and Anr.

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. G.S.Ghuman, Advocate for petitioners.

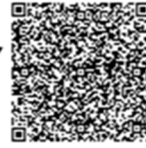
Ms. Amrit Kaur Mahir, AAG, Punjab.

Mr. Shivraj Daumajra, Advocate for respondent No.2.

AMARJOT BHATTI J. (ORAL)

1. Petitioners- Sachin Aggarwal, Chetinder Kumar Aggarwal and Ramana have filed instant petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of FIR No.0059 dated 17.03.2024, under Sections 498-A, 323, 354-A (1) (ii) and 506 of IPC 1860, registered at Police Station Phillaur, District Jalandhar Rural (Annexure P-1) and all subsequent proceedings arisen therefrom on the basis of compromise dated 11.03.2025 (Annexure P-2).

2. As per facts of the case, complainant Tanya Jain filed written complaint against her husband and in-laws family alleging that she got married with Sachin Aggarwal on 23.10.2023. She has given detail of gold ornaments given at the time of marriage to her husband and other members of in-laws family. Her parents had spent huge money during various ceremonies. Soon after marriage, her husband and both in-laws started illtreating her for bringing less



dowry. Panchayat was convened to settle the dispute. Her parents also approached the family of her husband for reconciliation but there was no change in their behaviour. The complainant has given detail of maltreatment given to her in the matrimonial home. During this period, she became pregnant. She was not given proper food to eat. She was beaten up and was kept locked. Ultimately, she informed the police and the complaint was filed.

3. Petitioners filed this petition for quashing of aforesaid FIR on the basis of compromise. Vide order dated 25.03.2025, 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, Phillaur dated 12.05.2025. Statement of respondent No.2 has been recorded where she stated that accused namely Chetinder Kumar Aggarwal had died on 15.04.2025. She also confirmed the compromise with petitioners. She confirmed that this compromise has been effected with her free will, sound disposing mind, without any pressure and coercion and she has no objection regarding quashing of FIR.

4. Petitioners- Sachin Aggarwal and Ramana also confirmed this fact in their separate statements. Statement of ASI Jai Gopal 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, Phillaur 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 and started living together. They will be able to



CRM-M-16220-2025

-3-

live in peace and harmony. It will end the litigation started between them. No purpose would be served with the continuation of criminal proceedings.

The trial Court has also confirmed the factum of demise of petitioner-Chetinder Kumar Aggarwal through SHO concerned. Death certificate annexed with the report is Exhibit C3. In view of the demise of petitioner-Chetinder Kumar Aggarwal, trial qua him stands abated.

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.0059 dated 17.03.2024, under Sections 498-A, 323, 354-A (1) (ii) and 506 of IPC 1860, registered at Police Station Phillaur, District Jalandhar Rural (Annexure P-1) and all subsequent proceedings arisen therefrom are quashed qua petitioners No.1 and 3.

Petition stands disposed of accordingly.

(AMARJOT BHATTI)
JUDGE

03.07.2025.
Sunil Devi

2025:PHHC:078767



CRM-M-16220-2025

-4-

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