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

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Date of decision : 02.07.2025

Suresh @ Suresh Kumar

..... Petitioner

V/S

State of Haryana and Anr.

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. Paramjit Singh Jammu, Advocate for petitioner.

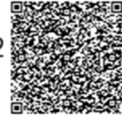
Ms. Nidhi Garg, AAG, Haryana.

Mr. Santosh Kumar Yadav, Advocate respondent No.2.

AMARJOT BHATTI J. (ORAL)

1. Petitioner-Suresh @ Suresh Kumar has filed 2nd petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of FIR No. 239 dated 27.08.2018 (Annexure P-1), registered under Sections 323, 406, 498-A of IPC at Police Station Sirsa Sadar, District Sirsa and all consequential proceedings arising therefrom, on the basis of compromise dated 22.11.2024 (Annexure P-2) and affidavits dated 25.11.2024 (Annexures P-3 and P-4).

2. As per facts of the case, complainant Harmeet Kaur filed written complaint against her husband and in-laws family for cruelty on account of demand of dowry. Her marriage was performed with Suresh Kumar on 16.11.2016 and out of this wedlock, she gave birth to a son on 25.10.2017 who is presently residing with his father. Her parents had given dowry beyond their means and had spent Rs.5 Lacs on her marriage. The complainant has given detail of dowry articles consisting of gold ornaments, clothes, utensils, household articles, a motorcycle Hero-Deluxe etc. given at the time of marriage. After

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marriage, her husband and in-laws family turned out to be greedy persons. She was taunted for bringing less dowry. Her husband was working as a Teacher in a private school. Thereafter, she also joined her job as a Teacher in Guru Nanak Senior Secondary School, village Bhaggun, District Sirsa along with her husband. Her husband used to suspect her. During this period, she became pregnant and even then, she was not given proper treatment. She was beaten up and abused by her husband at the instance of her mother-in-law. She tolerated the atrocities in the matrimonial home to save her marriage. There was effort on the part of her family members to reconcile the matter but there was no change in their behaviour. There was demand for a car and cash amount. The family of complainant and Panchayat members were insulted and sent back. Since then, she is residing in her parental house. 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 26.03.2025, 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 Additional Chief Judicial Magistrate, Sirsa dated 18.04.2025. Statement of respondent No.2 has been recorded where she confirmed the compromise with petitioner. She confirmed that this compromise has been effected voluntarily, without any coercion or undue influence and she has no objection regarding quashing of FIR.

4. Petitioner- Suresh @ Suresh Kumar also confirmed this fact in his separate statement. Statement of ESI Lilu Ram is also recorded who confirmed



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that petitioner is not involved or declared as proclaimed offender in any other criminal case.

5. Therefore, from the report of Additional Chief Judicial Magistrate, Sirsa 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 live in peace and harmony. It will end the litigation started between them. 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 FIR No. 239 dated 27.08.2018 (Annexure P-1), registered under Sections 323, 406, 498-A of IPC at Police Station Sirsa Sadar, District Sirsa and all subsequent proceedings arising therefrom are quashed qua petitioner.

(AMARJOT BHATTI)
JUDGE

02.07.2025.

Sunil Devi

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