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

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Date of decision : 09.07.2025

Suraj Varma and Ors.

..... Petitioners

V/S

State of Haryana and Anr.

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. Rahul Vats, Advocate for petitioners.

Mr. Sulinder Kumar, DAG, Haryana.

Mr. Prashant Vashisht, Advocate for
Mr. Bhupender Singh Saroha, Advocate for respondent No.2.

AMARJOT BHATTI J. (ORAL)

1. Petitioners – Suraj Varma, Deepak Kumar and Santosh Rani have filed this petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of FIR No.173 dated 23.04.2018, registered under Sections 323, 34, 406, 498-A, and 506 of IPC 1860 and Section 3 of The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, at Police Station Civil Line, Kaithal, District Kaithal (Annexure P-2) and all the subsequent proceedings arising therefrom, qua the petitioners, in light of the compromise effected between the parties dated 19.03.2025 (Annexure P-1).

2. As per facts of the case, complainant Ekta filed written complaint against Suraj Varma, Deepak Kumar and Santosh Rani. It is submitted that the complainant was doing Ph.D in Hisar Agricultural University. Suraj Varma was also studying in the same university and was also pursuing Ph.D. Both of them became friends. Suraj Varma disclosed that his brother Deepak Kumar was not



having good conduct and his mother did not like him. Suraj Varma used to stay in the hostel even during holidays. After some time, she and Suraj Varma decided to get married. The complainant disclosed about this development to her parents. Her parents disclosed everything about their caste and family. Suraj Varma had no objection and was ready for marriage. Her marriage was performed by her parents with Suraj Varma on 23.01.2016. The marriage was not attended by the family members of Suraj Varma. Her parents had spent Rs.20,00,000/- on their marriage. After about six months, Suraj Varma started visiting his family members. She also became pregnant. Mother and brother of Suraj Varma used to taunt her because of her caste and for not bringing enough dowry. She was illtreated and harassed in the matrimonial home. Later on, all the accused told her to go for abortion. She was slapped and beaten up by them. He also started raising demand for car, gold ornaments for his family members. During her stay in the matrimonial home, she was continuously illtreated. She has narrated various incidents which took place in the matrimonial home. Due to continuous maltreatment, complaint was filed. With these allegations, present FIR has been registered.

3. Petitioners filed this petition for quashing of aforesaid FIR on the basis of compromise. Vide order dated 26.03.2025, 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, Kaithal dated 25.04.2025. Statement of respondent No.2 has been recorded where she confirmed the compromise with petitioners. 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. Petitioners- Suraj Varma, Deepak Kumar and Santosh Rani also confirmed this fact in their joint statement. Statement of DSP Gurwinder Singh 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, Kaithal 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.5,00,000/-. 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. Considering these facts, the petition filed by the petitioners is accepted and FIR



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No.173 dated 23.04.2018, registered under Sections 323, 34, 406, 498-A, and 506 of IPC 1860 and Section 3 of The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, at Police Station Civil Line, Kaithal, District Kaithal (Annexure P-2) and all subsequent proceedings arisen therefrom are quashed qua petitioners.

(AMARJOT BHATTI)
JUDGE

09.07.2025.

Sunil Devi

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