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

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Date of decision : 11.07.2025

Kanwar Ashish

..... Petitioner

V/S

State of Union Territory, Chandigarh and Anr.

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. Aniket Sindhar, Advocate for petitioner.

Mr. Narender Kumar Vashist, Addl. P.P., UT, Chandigarh.

Mr. Manjot Singh Gujral, Advocate
for respondent No.2 (through V.C.).

AMARJOT BHATTI J. (ORAL)

1. Petitioner – Kanwar Ashish has filed this petition under Section 482 of Cr.P.C. read with Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of FIR No.58 dated 04.07.2016, registered under Sections 406, 498-A, of IPC 1860, at Police Station Women Cell, Sector 17, Chandigarh (Annexure P-1) and all the subsequent proceedings arising therefrom, qua the petitioner, in light of the compromise effected between the parties dated 21.03.2025 (Annexure P-2).

2. As per facts of the case, complainant/respondent No.2 Kavita Kanwar filed written complaint against her husband and in-laws family for causing harassment by raising unlawful, unending demands for property and money. It is alleged that all the accused persons have connived with each other and caused harassment to her and her parents. She was facing hostile atmosphere



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from 01.11.2008 till date. She faced inhuman behaviour in the matrimonial home. The complainant has referred to various incidents which took place from time to time. All her dowry articles detailed in the FIR are inappropriate. Finally, she filed this complaint, on the basis of which present FIR has been registered.

3. Petitioner filed this petition for quashing of aforesaid FIR on the basis of compromise. Vide order dated 24.04.2025, 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, Chandigarh dated 02.07.2025. 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- Kanwar Ashish also confirmed this fact in his statement. Statement of ASI Ravinder Singh 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, Chandigarh it is clear that the compromise has been effected between the parties without any pressure, coercion or undue influence, which is acceptable to both the parties. They have mutually settled all their claims arisen from matrimonial dispute. Now, 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**



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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.58 dated 04.07.2016, registered under Sections 406, 498-A, of IPC 1860, at Police Station Women Cell, Sector 17, Chandigarh (Annexure P-1) and all subsequent proceedings arisen therefrom are quashed qua petitioner.

(AMARJOT BHATTI)
JUDGE

11.07.2025.

Sunil Devi

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