



CRM-M-27723-2025

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

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CRM-M-27723-2025

Date of decision : 17.07.2025

Malkeet Singh

..... Petitioner

V/S

State of Haryana and Anr.

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. Rishab Chaudhary, Advocate for
Mr. Rajender Kumar, Advocate for petitioner.

Mr. Sulinder Kumar, DAG, Haryana.

Ms. Neha Rani, Advocate for respondent No.2.

AMARJOT BHATTI J. (ORAL)

1. Petitioner – Malkeet Singh has filed this petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of FIR No.446 dated 16.08.2020, registered under Sections 323, 354-A, 377, 406, 498-A, 506 of IPC 1860, at Police Station Pehowa, District Kurukshetra (Annexure P-1) and all the subsequent proceedings arising therefrom, qua the petitioner, in light of the compromise effected between the parties dated 17.04.2025 (Annexure P-3).

2. As per facts of the case, complainant Baljinder Kaur filed written complaint against her husband and other members of in-laws family for causing harassment, forcible unnatural sex and an attempt to rape her. She alleged that her marriage was performed with Malkeet Singh on 28.02.2013. Her parents had given dowry as per their financial capacity. The accused persons were unhappy with the dowry articles. Her parents had given a motorcycle in dowry but she was taunted that they were receiving proposals for marriage who were ready to



give car. She tolerated the behaviour of her in-laws to save her marriage and dignity of her parents. She gave birth to two children. During this period she was beaten up. Several complaints were filed to the police. Matter was compromised with the intervention of community members but there was no change in their behaviour. Whenever she was alone in the house, Gurvinder Singh indulged in obscene activity. On her resistance, she was given threats to kill her and her children. The other accused also connived with Gurvinder Singh. She has narrated incidents of 06.07.2020 and 19.07.2020 when she was beaten up and the accused persons tried to kill her. She informed her parents. Her medical examination was conducted at Civil Hospital Pehowa. Finally, the matter was reported to the police and present FIR has been registered.

3. Petitioner filed this petition for quashing of aforesaid FIR on the basis of compromise. Vide order dated 20.05.2025, 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, Pehowa dated 19.06.2025. Statement of respondent No.2 has been recorded where she confirmed the compromise with petitioner. She confirmed that she has no objection regarding quashing of FIR.

4. Petitioner- Malkeet Singh also confirmed this fact in his statement. Statement of ASI Diler 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, Pehowa, 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. 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. 446 dated 16.08.2020, registered under Sections 323, 354-A, 377, 406, 498-A, 506 of IPC 1860, at Police Station Pehowa, District Kurukshetra (Annexure P-1) and all subsequent proceedings arisen therefrom are quashed qua petitioner.

(AMARJOT BHATTI)
JUDGE

17.07.2025.

Sunil Devi

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