

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

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CRM-M-39337-2024

Date of decision : 08.07.2025

Gagandeep Joshi @ Gagan Joshi

..... Petitioner

V/S

State of Punjab and Anr.

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. Harpal Singh Sidhu, Advocate for petitioner.

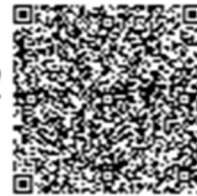
Mr. Malkit Singh Dhillon, DAG, Punjab.

Mr.A.S.Khosa, Advocate for respondent No.2.

AMARJOT BHATTI J. (ORAL)

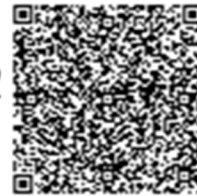
1. Petitioner – Gagandeep Joshi alias Gagan Joshi has filed this petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of FIR No.005 dated 22.04.2024, registered under Sections 406 & 498-A of IPC 1860 at Police Station Women, District Ludhiana Rural (Annexure P-1) and all the subsequent proceedings arising therefrom, qua the petitioner, in light of the compromise effected between the parties dated 04.07.2024 (Annexure P-2).

2. As per facts of the case, complainant Urvashi Sharma filed written complaint against her husband Gagandeep Joshi and others alleging that she had received six bands in IELTS. She was engaged with Gagandeep Joshi. At that time, it was agreed by Gagandeep Joshi and his family that her family should



perform marriage as per their status and the in-laws family will send her abroad on the basis of education. Their marriage was performed on 30.11.2017 by spending huge money by her parents. She was given dowry consisting of gold ornaments, clothes and other customary gifts for her husband and members of in-laws family. She was given household articles, jewellery, clothes etc. After some time, her husband and members of in-laws family started harassing her for bringing less dowry. She was tortured by her in-laws. There was demand for cash of Rs.25 Lacs for going abroad, otherwise she will not be sent abroad. During this period, she conceived and gave birth to a child. Her husband was working as Clerk in an Insurance Company whereas at the time of marriage, it was told that he was a Senior Manager. The harassment continued on account of their demand for cash amount. She used to teach in a private school. She has narrated various incidents which took place in the matrimonial home. All her dowry articles were misappropriated by her in-laws. She was not sent abroad. Ultimately, 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 14.08.2024, 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, Jagraon dated 31.05.2025. 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.

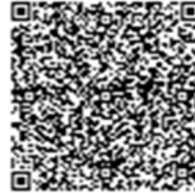
4. Petitioner- Gagandeep Joshi alias Gagan Joshi also confirmed this fact in his statement. Statement of ASI Gurpreet Singh is also recorded who confirmed that petitioner is not involved or declared as proclaimed offender in any other criminal case.

5. Therefore, from the report of Judicial Magistrate Ist Class, Jagraon 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 have decided to part ways by filing joint petition under Section 13-B of Hindu Marriage Act. Matter has been settled in Rs.5,50,000/-. 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.

2025:PHHC:081482



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Considering these facts, the petition filed by the petitioner is accepted and FIR No.005 dated 22.04.2024, registered under Sections 406 & 498-A of IPC 1860 at Police Station Women, District Ludhiana Rural (Annexure P-1) and all subsequent proceedings arisen therefrom are quashed qua petitioner.

(AMARJOT BHATTI)
JUDGE

08.07.2025.

Sunil Devi

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