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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM-M-43522-2024(O&M)

Date of decision : 23.01.2025

Ankur @ Ankur Pawn Sharma and Anr.

..... Petitioners

V/S

State of Haryana and Anr.

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. Ashwani Bhardwaj, Advocate for petitioners.

Ms. Nidhi Garg, AAG, Haryana.

Mr. Lokesh Sharma, Advocate for respondent No.2.

AMARJOT BHATTI J. (ORAL)

1. Petitioners-Ankur @ Ankur Pawn Sharma and Pawan Kumar Sharma have filed instant petition under Section 482 Cr.P.C. for quashing of FIR No.0001 dated 04.01.2022, under Sections 323, 34, 342, 498-A of IPC, 1860, registered at Police Station Women, Bhiwani, District Bhiwani (Annexure P-1) and consequential proceedings arising therefrom on the basis of compromise dated 01.07.2024 (Annexure P-2).

2. As per the facts of the case, complainant Soniya filed written complaint against her husband Ankur @ Ankur Pawan Sharma, Pawan Kumar Sharma and Smt. Seeta Devi with the allegations of beating and maltreatment regarding demand of dowry. She got married with Ankur @ Ankur Pawan Sharma on 28.02.2017. Her parents had given huge dowry but her husband and in-laws family was unhappy with the dowry articles. There was demand for car along with other articles. Her parents had given Rs.5,01,000/- to her father-in-law instead of car and furniture but



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even then, they were not satisfied. All her dowry articles were retained by her mother-in-law. Their behaviour was harsh and cruel towards her. The complainant has narrated various incidents which took place in the matrimonial home from time to time. There was no change in their behaviour. She was confined in the house and ultimately on arrival of her parents, she was rescued along with her son. Since then, she is residing in her parental house. With these allegations, present FIR has been registered.

Investigation was carried out and during investigation, Sita Devi was not challaned.

3. Petitioners filed this petition for quashing of aforesaid FIR on the basis of compromise. Vide order dated 04.09.2024, 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, Bhiwani dated 10.12.2024. Statement of respondent No.2 has been recorded, where she confirmed the compromise with petitioners. She confirmed that this compromise has been effected without any inducement, threat or promise from any side and she has no objection regarding quashing of FIR.

4. Petitioners- Ankur @ Ankur Pawan Sharma and Pawan Kumar Sharma also confirmed this fact in their joint statement. Statement of L/HC Rekha Rani is also recorded who further confirmed that accused are not involved or declared as proclaimed offender in any other criminal case.

5. Therefore, from the report of Judicial Magistrate Ist Class, Bhiwani, 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



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matrimonial dispute. They will be able to live 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 No.0001 dated 04.01.2022, under Sections 323, 34, 342, 498-A, of IPC, 1860, registered at Police Station Women, Bhiwani, District Bhiwani (Annexure P-1) and all consequential proceeding arising therefrom are quashed qua petitioners.

8. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

(AMARJOT BHATTI)
JUDGE

23.01.2025.

Sunil Devi

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No