

CRM-M-54412-2024

-1-

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

264

CRM-M-54412-2024

Date of decision : 05.02.2025

Anmol Adhlakha

..... Petitioner

V/S

State of Haryana and Anr.

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. Vikas Kumar Gupta, Advocate for petitioner.

Ms. Nidhi Garg, AAG, Haryana.

Mr. Amit Singla, Advocate for respondent No.2.

AMARJOT BHATTI J. (ORAL)

1. Petitioner- Anmol Adhlakha has filed instant petition under Section 482 of Cr.P.C. for quashing of FIR No.0039 dated 25.01.2022, under Sections 323, 34, 354, 354-D, 376, 406, 498-A, 506 and 511 of IPC, registered at Police Station Model Town, Panipat (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 13.08.2024 (Annexure P-3).

2. As per the facts of the case, complainant Pallavi filed written complaint against her husband Anmol Adhlakha and other members of in-laws family. It is alleged that she got married with Anmol Adhlakha on 09.05.2004. Her parents had spent Rs.35 Lacs on her marriage. All dowry articles were handed over to her husband and in-laws family. Even then, her in-laws were unhappy with the dowry articles. She was taunted for bringing a small car and cheap dowry articles. They started raising demand for big fridge, furniture articles etc. She was illtreated in the matrimonial home and her parents were also disrespected. During this period, her parents had given costly items, gifts etc.

**CRM-M-54412-2024****-2-**

even then, her in-laws were unhappy. She tolerated the behaviour of her husband and in-laws family. Her husband used to consume liquor and was having relations with other women. She was being forced to consume liquor and eat non-vegetarian food with his friends. She has narrated various incidents which took place during her stay in the matrimonial home. She also gave birth to a daughter. There was no change in their behaviour. They wanted to perform marriage of her husband somewhere else. Despite repeated requests matter could not be resolved and ultimately, she filed this complaint.

3. Petitioner filed this petition for quashing of aforesaid FIR on the basis of compromise. Vide order dated 04.11.2024, 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 Chief Judicial Magistrate, Panipat dated 10.12.2024. Statement of respondent No.2 has been recorded, where she confirmed the compromise with petitioner. She confirmed that this compromise has been effected amicably and she has no objection regarding quashing of FIR.

4. Petitioner- Anmol Adhlakha also confirmed this fact in his separate statement. Statement of SI Surinder Singh is also recorded who further confirmed that accused is not involved or declared as proclaimed offender in any other criminal case.

5. Therefore, from the report of Chief Judicial Magistrate, Panipat, it is clear that compromise has been effected between the parties amicably. They have mutually settled all their claims arisen from matrimonial dispute. They have also filed joint petition under Section 13-B of Hindu Marriage Act. Matter has

been settled in Rs.1,45,00,000/- out of which Rs.65,00,000/- are already paid by petitioner to complainant at the time of recording of first motion statements, Rs.40,00,000/- were paid on dated 19.11.2024 and balance amount of Rs.40,00,000/- will be paid at the time of recording of second motion statements. 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 petitioner is accepted and FIR No. 0039 dated 25.01.2022, under Sections 323, 34, 354, 354-D, 376, 406, 498-A, 506 and 511 of IPC, registered at Police Station Model Town, Panipat (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua petitioner.

(AMARJOT BHATTI)
JUDGE

05.02.2025.

Sunil Devi

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