



CRM-M-55282-2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM-M-55282-2024

Date of decision : 20.01.2025

Sanjay Rana

..... Petitioner

V/S

State of Haryana and Anr.

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Ms. Veena Hooda, Advocate for petitioner.

Ms. Nidhi Garg, AAG, Haryana.

Mr. Nikhil Mittal, Advocate for respondent No.2.

AMARJOT BHATTI J. (ORAL)

1. Petitioner-Sanjay Rana has filed instant petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of FIR No.115 dated 22.07.2022, under Sections 323, 498-A of IPC, 1860, registered at Women Police Station Jhajjar, Haryana and all subsequent proceedings arising therefrom on the basis of compromise dated 27.09.2024 (Annexure P-2).

2. As per the facts of the case, complainant Amisha gave her statement that she got married with Sanjay on 05.02.2022. For some time, she was comfortable in the matrimonial home but thereafter, her husband and both in-laws started giving beating to her and harassed her for dowry. She was taunted and was physically and mentally tortured. Both her in-laws forced her to consume five pills to have miscarriage. She disclosed this fact to her husband. Thereafter, her husband received certain messages on his *Instagram I.D.* They wanted to prove that she was characterless. She informed her family and ultimately, she was turned out of the

matrimonial home. Thereafter, 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 07.11.2024, 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 Judicial Magistrate Ist Class, Jhajjar 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 without any pressure, coercion or undue influence from any side and she has no objection regarding quashing of FIR.

4. Petitioner- Sanjay Rana also confirmed this fact in his separate statement. Statement of lady ASI Munesh 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 Judicial Magistrate Ist Class, Jhajjar, it is clear that compromise has been effected between the parties without any pressure, coercion or undue influence. They have mutually settled their 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 petitioners is accepted and FIR No.115 dated 22.07.2022, under Sections 323, 498-A of IPC, 1860, registered at Women Police Station Jhajjar, Haryana and all consequential proceedings arising therefrom are quashed qua petitioner.

(AMARJOT BHATTI)
JUDGE

20.01.2025.

Sunil Devi

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