

2025:PHHC:168891

**CRM-M-59800-2025 (O&M)**

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

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CRM-M-59800-2025 (O&M)**Date of decision: 01.12.2025****BANISH KALRA****...PETITIONER****VERSUS****STATE OF HARYANA AND ANOTHER****...RESPONDENTS****CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL**

Present: Mr. D.S. Gandhi, Advocate
for petitioner.

Mr. Vikas Bhardwaj, AAG, Haryana.

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

SHALINI SINGH NAGPAL J.

CRM-46929-2025

Application under Section 528 Bharatiya Nagrik Suraksha Sanhita, 2023 has been filed for preponement of the main case on the ground that petitioner has recently been appointed as a school Teacher of Mathematics and is required to return to his country, New Zealand to join his new job. Heard. Application is allowed. Main case i.e. CRM-M-59800-2025 is taken on board today itself.

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1. Petitioner seeks quashing of FIR No.0134 dated 02.03.2020 under Sections 406, 498-A and 506 of Indian Penal Code, Police Station Thanesar Sadar, District Kurukshetra, Haryana and all consequential proceedings arising therefrom on the basis of compromise dated 26.09.2025.

2. On 28.10.2025, this Court directed the parties to appear before learned trial Court/Illaq Magistrate for recording of their statements on

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3. In compliance of the aforesaid order, parties appeared before learned Additional Chief Judicial Magistrate, Kurukshetra on 04.11.2025. Statement of Investigating Officer ASI Suraj Mal was recorded on 07.11.2025. Learned ACJM, Kurukshetra, has submitted his report recording satisfaction that all the parties have entered into a valid compromise without any influence or coercion. Point-wise report as under has been submitted:

- “1. As per statement of Investigating officer, there are 3 number of accused persons in the present FIR.*
- 2. There is only one accused namely Banish Kalra who appeared before this court for making statement.*
- 3. As per statement of Investigating Officer, no additional accused has been added in the present FIR.*
- 4. Accused was not declared absconder/proclaimed -person in any other criminal case.*
- 5. As per statement of Investigating Officer, no other offence was added or deleted during investigation.*
- 6. No investigation is pending against any of the accused or during the investigation, Sudarshan and Chunni were found innocent and challan was present against only accused Banish Kalra.*
- 7. Name of complainant and injured/aggrieved is Pavitra Dhamija.*
- 8. Yes, sole aggrieved i.e. complainant has appeared and her statement has been recorded.*
- 9. The stage of the present case is on consideration on charge.*
- 10. In view of the statements given by the complainant Pavitra Dhamija and the accused Banish Kalra, this Court is of the considered view*



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that the instant compromise is genuine, voluntary and out of free will of the parties.

11. *No other criminal case of proceedings is pending against the accused.”*
4. Learned State counsel and learned counsel for respondent No.2 have not raised any dispute regarding the factum of compromise between petitioner and respondent no.2.
5. Since the matter has been amicably settled between the parties, continuation of the criminal proceedings would be an exercise in futility. The dispute which has its genesis in a matrimonial discord, warrants exercise of powers under Section 482 Cr.P.C.
6. Following principles of law laid down by the Full Bench Judgment of this Court in **“Kulwinder Singh and others Vs. State of Punjab and another” 2007(3) RCR (Criminal) 1052** and Hon’ble Supreme Court in **“Gian Singh Versus State of Punjab and others” (2012) 10 SCC 303**, the petition is allowed.
7. FIR No.0134 dated 02.03.2020 under Sections 406, 498-A and 506 of Indian Penal Code, Police Station Thanesar Sadar, District Kurukshetra, Haryana and all consequential proceedings arising therefrom, are quashed qua the petitioner.
8. Pending miscellaneous applications, if any, stand disposed of.

(SHALINI SINGH NAGPAL)
JUDGE

01.12.2025
Sumit Singla

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No