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

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Date of decision : 04.08.2025

Nitin Pandey

..... Petitioner

V/S

U.T. Chandigarh

..... Respondent

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. Deepak K.Sharma, Advocate for petitioner.

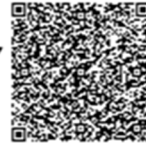
Mr. Manish Bansal, P.P., UT, Chandigarh.

Mr. Shri Kant Rattan, Advocate for respondent No.2.

AMARJOT BHATTI J. (ORAL)

1. Petitioner – Nitin Pandey has filed this petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of FIR No. 0152 dated 12.10.2024, registered under Section 498-A of IPC 1860 at Women Police Station, Chandigarh (Annexure P-1) and all the subsequent proceedings arising therefrom, qua the petitioner, in light of the compromise effected between the parties dated 21.11.2024 (Annexure P-2).

2. As per facts of the case, complainant Neha Mishra filed written complaint that her marriage was performed with Nitin Pandey on 15.02.2023, prior to this *Roka* ceremony took place. She has mentioned various dates when huge amounts were given to her father-in-law Sanjay Pandey. There was demand for a car and her father had given Rs. 5.16 Lacs from his credit card on

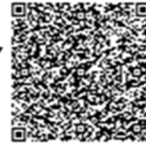


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28.09.2022 to a car dealer namely EMM PEE Motors Ltd, Phase-1, Industrial Area, Chandigarh. Thereafter, huge amount was spent on ring ceremony. As detailed in the FIR, she was given huge dowry consisting of household articles, electrical appliances, costly gifts, gold ornaments, etc. At the time of *Milni*, again costly gifts were given. After marriage, all her dowry articles consisting of jewellery were taken away by her mother-in-law Savita Pandey and her husband for safe custody. She had to ask for her jewellery to wear the same. Her father-in-law told her to clear their loan of Rs.15 Lacs. On her refusal, she was abused and was tortured. She was even locked in a room for two hours. There was an effort to reach at an amicable settlement but in vain. Her husband misbehaved with the members of her family. She tried to pacify the matter. She returned to her parental house. After some time, she again came to the matrimonial home on 09.05.2024. She tried to adjust in the matrimonial home, but there was no change in their behaviour. She has narrated various incidents which took place in the matrimonial home. She faced domestic violence and even called the police. She got herself medically examined from GMCH, Sector-16, Chandigarh. The matter was reported to the police and finally the present FIR was registered.

3. Petitioner filed this petition for quashing of aforesaid FIR on the basis of compromise. Vide order dated 13.12.2024, 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, Chandigarh dated 23.01.2025. Statement of respondent No.2 has been recorded where she confirmed the compromise with petitioner. She confirmed that this



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compromise has been effected voluntarily, without any coercion or undue influence and she has no objection regarding quashing of FIR.

4. Petitioner- Nitin Pandey also confirmed this fact in his statement. Statement of ASI Davinder 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, Chandigarh 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.25,00,000/-. Thereafter, they will be able to live independently in peace and harmony. It will end the litigation started between them.

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. 0152 dated 12.10.2024, registered under Section 498-A of IPC 1860 at



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Women Police Station, Chandigarh (Annexure P-1) and all subsequent proceedings arisen therefrom are quashed qua petitioner.

(AMARJOT BHATTI)
JUDGE

04.08.2025.

Sunil Devi

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