

CRM-M-64556-2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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Date of decision : 27.02.2025

Ankush Bhatti and Ors.

..... Petitioners

V/S

State of Punjab and Anr.

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. Kuldeep Kumar Sarthi, Advocate for petitioners.

Mr. Gautam Thapar, AAG, Punjab.

Ms. Monika Devi Koonj, Advocate for respondent No.2.

AMARJOT BHATTI J. (ORAL)

1. Petitioners- Ankush Bhatti, Kanta @ Kanta Bhatti, Akash Bhatti and Maria @ Maria Bhatti @ Shelly have filed instant petition under Section 482 of Cr.P.C. for quashing of FIR No.73 dated 31.07.2024, under Sections 406, 498-A, & 323 of IPC, registered at Police Station Women Cell, District Police Commissionerate Jalandhar, District Jalandhar (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 09.12.2024 (Annexure P-2).

2. As per the facts of the case, complainant Preeti filed written complaint against her husband Ankush Bhatti and others with the allegations of harassment in the matrimonial home on account of demand of dowry. It is submitted that the complainant got married with Ankush Bhatti on 23.10.2021 at Jammu and out of this wedlock, she gave birth to a son. At the time of marriage, gold ornaments and other gifts were given by her parents beyond their capacity.

Her husband was employed in Municipal Council Jammu and in free time, he

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was doing the work of denting and painting at the shop of his uncle. He never provided expenses to run the house and she was told that she should bring money from her parents' house. All accused used to taunt her that in case they did not raise any demand, even then her parents should have given household articles like fridge, television, washing machine etc. For the birth of child, she came to her parental house. Her husband came on few occasions to see her. She along with her child was sent to her matrimonial home. Thereafter, there was demand for Rs.2 Lacs. She along with her child was turned out of the house on 12.05.2023 and she was told to satisfy their demand. She had gone to Civil Hospital, Jammu for medical treatment. On 17.05.2023, she along with her child came to her parental house along with her father. Thereafter, present complaint was filed and present FIR was registered.

3. Petitioners filed this petition for quashing of aforesaid FIR on the basis of compromise. Vide order dated 20.12.2024, 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, Jalandhar dated 29.01.2025. 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 pressure, coercion or undue influence and she has no objection regarding quashing of FIR.

4. Petitioners- Ankush Bhatti, Kanta @ Kanta Bhatti, Akash Bhatti and Maria @ Maria Bhatti @ Shelly also confirmed this fact in their separate statements. Statement of ASI Jaswant Singh 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, Jalandhar, it is clear that compromise has been effected between the parties amicably. They have mutually settled all their claims arisen from 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.73 dated 31.07.2024, under Sections 406, 498-A, & 323 of IPC, registered at Police Station Women Cell, District Police Commissionerate Jalandhar, District Jalandhar (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua petitioners.

(AMARJOT BHATTI)
JUDGE

27.02.2025.

Sunil Devi

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