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

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Date of decision : 26.05.2025

Ashok Kumar @ Pappu

..... Petitioner

V/S

State of Haryana and Anr.

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. Ishan Sharma, Advocate for petitioner.

Ms. Ambika Sood, Addl. A.G., Haryana.

Mr. Ahok Kumar Munjal, Advocate for
respondent No.2.

AMARJOT BHATTI J. (ORAL)

1. Petitioner- Ashok Kumar alias Pappu has filed instant petition under Section 482 Cr.P.C. for quashing of FIR No.284 dated 18.09.2019 (Annexure P-1), under Section 406, 498-A, 323, 506, 34 of IPC, 1860, registered at Police Station Mahesh Nagar, District Ambala (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 13.12.2024 (Annexure P-2).

2. As per facts of the case, complainant Sonia Dhiman filed written complaint that she got married with Ashok Kumar on 11.11.1999. Her parents had given dowry articles as per their capacity. She was subjected to physical harassment by her husband and other members of in-laws family. There was demand for money and dowry articles. The complainant has narrated various incidents when she was abused and beaten up by her husband. In the year 2016,



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she filed a complaint with Women Police Station. Later on, the matter was settled. There was no change in their behaviour. Finally, she filed this complaint.

3. Petitioner filed this petition for quashing of aforesaid FIR on the basis of compromise. Vide order dated 30.01.2025, 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, Ambala dated 13.03.2025. Statement of respondent No.2 has been recorded where she confirmed the compromise with petitioner. During pendency of trial application was filed under Section 319 Cr.P.C. for summoning of additional accused. In pursuance of compromise said application has been withdrawn as per order dated 18.04.2025. She confirmed that this compromise has been effected voluntarily, without any coercion or undue influence and she has no objection regarding quashing of FIR.

4. Petitioner- Ashok Kumar alias Pappu also confirmed this fact in his separate statement. Statement of ASI Sukhbir Singh 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 Chief Judicial Magistrate, Ambala it is clear that compromise has been effected between the parties without any pressure, coercion or undue influence. They have mutually settled all their claims arisen from matrimonial dispute and started living together. 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.



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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.284 dated 18.09.2019 (Annexure P-1), under Section 406, 498-A, 323, 506, 34 of IPC, 1860, registered at Police Station Mahesh Nagar, District Ambala (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua petitioner.

(AMARJOT BHATTI)
JUDGE

26.05.2025.

Sunil Devi

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