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

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Date of decision : 24.04.2025

Kapil Dev Sharma

..... Petitioner

V/S

State of Haryana and Anr.

..... Respondents

**CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI**

Present: Mr. Parminder Singh, Advocate and  
Mr. Suresh Kumar Sharma, Advocate  
for petitioner.

Ms. Nidhi Garg, AAG, Haryana.

Ms. Sujata Devi, Advocate for respondent No.2.

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**AMARJOT BHATTI J. (ORAL)**

1. Petitioner- Kapil Dev Sharma has filed instant petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of FIR No.82 dated 01.04.2019, under Sections 323, 34, 354-C, 498-A, 506 of IPC, registered at Police Station Kosli, District Rewari (Annexure P-1) and all subsequent proceedings arising therefrom, on the basis of compromise deed dated 25.11.2024 (Annexure P-2).

2. As per facts of the case, Shivani Sharma filed written complaint regarding demand of dowry and domestic violence. She alleged that her marriage was performed with Kapil Dev Sharma on 07.03.2011. After marriage, her in-laws family started claiming that marriage was not properly performed. Her mother-in-law started complaining about the quality of clothes, utensils, ornaments and other items given at the time of marriage. She was taunted and ill-treated in the matrimonial home. She was abused and even beaten up. During

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this period, she became pregnant. She was not provided medical treatment. She was not feeling well and finally, she was taken to the hospital and it was informed that child died in the womb. She again conceived. There was no change in the attitude of her husband and in-laws family. She remained under physical and mental stress. She gave birth to a female child. She remained in her parental house for six months. Nobody bothered about her or the child. Thereafter, matter was compromised when the complaint was filed with the police. She was again illtreated in the matrimonial home and has narrated various incidents which took place with her. Thereafter, the present complaint was filed and after investigation present FIR was registered.

3. Petitioner filed this petition for quashing of aforesaid FIR on the basis of compromise. Vide order dated 21.02.2025, 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 Sub Divisional Judicial Magistrate, Kosli dated 05.04.2025. Statement of respondent No.2 has been recorded where she confirmed the compromise with petitioner. She confirmed that this compromise has been effected voluntarily, without any coercion or undue influence and she has no objection regarding quashing of FIR.

Learned counsel representing State has filed status report, which is taken on record.

4. Petitioner- Kapil Dev Sharma also confirmed this fact in his statement. Statement of ASI Poonam is also recorded who confirmed that petitioner is not involved or declared as proclaimed offender in any other criminal case.



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5. Therefore, from the report of Sub Divisional Judicial Magistrate, Kosli, 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. They have filed joint petition under Section 13-B of Hindu Marriage Act. Thereafter, 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 petitioner is accepted and FIR No.82 dated 01.04.2019, under Sections 323, 34, 354-C, 498-A, 506 of IPC, registered at Police Station Kosli, District Rewari (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua petitioner.

(AMARJOT BHATTI)  
JUDGE

24.04.2025.

Sunil Devi

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