



CRM-M-60185-2024

-1-

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

261

CRM-M-60185-2024

Date of decision : 24.02.2025

Anshul Malik

..... Petitioner

V/S

State of Haryana and Anr.

..... Respondents

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

Present: Mr. Manjeet Singh, Advocate for petitioner.

Ms. Nidhi Garg, AAG, Haryana.

Mr. Suresh Nain, Advocate for respondent No.2.

\*\*\*\*

**AMARJOT BHATTI J. (ORAL)**

1. Petitioner- Anshul Malik has filed instant petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of FIR No.97 dated 17.11.2023, under Sections 120-B, 354, 498-A, 506 of IPC, 1860, registered at Women Police Station, District Panchkula (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 25.11.2024 (Annexure P-3).

2. As per the facts of the case, complainant Bhavna Saini filed written complaint against her husband Anshul Malik and in-laws family alleging that she was working as Senior Automation QA Engineer at Trantor Pvt. Ltd. She belong to a highly reputed family. She came in contact with Anshul Malik who finally became Judicial Officer in Himachal Pradesh. The complainant was having love affair with Anshul Malik and also became intimate as there was assurance by Anshul Malik that he would perform marriage with her. They remained in



**CRM-M-60185-2024**

**-2-**

relationship for long duration and in between there was Covid-19 Pandemic. During this relationship, Anshul malik tried to avoid performing marriage with her on one pretext or the other. Finally, their marriage was performed with great pomp and show on 16.02.2021. Her parents had spent huge money at the time of marriage and cash of Rs.5,11,000/- was given to purchase household articles. Her husband and in-laws family were unhappy with the dowry articles. She was taunted that in other marriage proposals, the other family was ready to give more than Rs.2 Crores and BMW car. Time and again, she was taunted and harassed in the matrimonial home. Her husband pressurized her to change the company so that she could work from home. She was compelled to bring at least Rs.50 Lacs from her parents to purchase a new car. The complainant has given detail of various incidents which took place during her stay in the matrimonial home. Behaviour of her husband and in-laws family was unpredictable. She tried her level best to adjust in the matrimonial home. Finally she filed the present complaint and present FIR was registered.

3. Petitioner filed this petition for quashing of aforesaid FIR on the basis of compromise. Vide order dated 02.12.2024, 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, Panchkula dated 17.12.2024. 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 pressure and coercion or undue influence and she has no objection regarding quashing of FIR. She also



**CRM-M-60185-2024**

**-3-**

confirmed that as per the compromise, she received Rs.10,00,000/- through cheque from accused Anshul Malik.

4. Petitioner- Anshul Malik also confirmed this fact in his separate statement. Statement of ASI Nirdosh is also recorded who further confirmed that accused is not involved or declared as proclaimed offender in any other criminal case.

5. Therefore, from the report of Judicial Magistrate Ist Class, Panchkula it is clear that compromise has been effected between the parties amicably. 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/- out of which Rs.15,00,000/- were already paid by petitioner to complainant at the time of signing of compromise, and balance amount of Rs.10,00,000/- were received at the time of recording of statements. Now, they will be able to live independently 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.'

**CRM-M-60185-2024****-4-**

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.97 dated 17.11.2023, under Sections 120-B, 354, 498-A, 506 of IPC, 1860, registered at Women Police Station, District Panchkula (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua petitioner.

**(AMARJOT BHATTI)**  
**JUDGE**

**24.02.2025.***Sunil Devi*

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