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

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Date of decision : 26.08.2025

Vijay Kumar Godara

..... Petitioner

V/S

State of Haryana and Anr.

..... Respondents

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

Present: Mr. Gurdarshan S. Sidhu, Advocate for petitioner.

Mr. Ayuwan Singh, AAG, Haryana.

Ms. Suresha Rani, Advocate for respondent No.2.

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**AMARJOT BHATTI J. (ORAL)**

1. Petitioner Vijay Kumar Godara has filed petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of FIR No. 12 dated 06.01.2025 under Section 85 of Bharatiya Nyaya Sanhita, 2023 and Section 3(1)(s) of SC/ST Act (Section 3(1)(s) of SC/ST Act deleted and Section 3(2)(va) of SC/ST Act and Section 351(2) of BNS added later on) registered at Police Station Sadar Dabwali, District Dabwali, Sirsa (Annexure P-1) and all consequent proceedings thereon, on the basis of compromise deed dated 24.04.2025 (Annexure P-2).

2. As per facts of the case, complainant/respondent No.2-Sunita filed written complaint alleging that complaint No.46/NHRC dated 02.12.2024 and complaint No.987/PC dated 30.12.2024 were filed by the complainant for holding preliminary enquiry with the allegations of developing physical relations with false promise of marriage. The complainant gave her statement that she was in live-in-

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relationship with Vijay Kumar Godara since 2015. They started having physical relations and when the complainant wanted to marry him, he refused to marry her. She approached the parents of accused. Elder brother of Vijay Kumar Godara namely Ashok Kumar openly proclaimed that she was of lower caste, therefore, she should not think of marrying his brother Vijay Kumar Godara. She was turned out of the house. She filed complaint before Women Police Station, Sirsa where the accused promised to marry her within 10 days. On 07.09.2024, the accused again told her that he will marry her within two days and she should come to Hisar. He again developed physical relations with her in a hotel at Hisar. She was kept in the hotel for two days and continued to have physical relations against her wishes. Finally, he took her to Durga Mata Mandir, Kanganpar Road, Sirsa, Haryana and performed marriage on 09.09.2024. The affidavit was got attested from Notary Public and the expenses were taken from her. The accused started saying that the said document was not correct, therefore, they should go to Chandigarh to get married again. She was taken to Gugamarri Rama Krishna Mandir, Sector 19-C, Chandigarh and again performed marriage by exchanging garlands on 12.09.2024 and the marriage was registered in the Court. On the next day, she was told to do a job in Chandigarh and thereafter, she will be taken to his parental house. The behaviour of accused was not cordial towards her. She was again told on 22.11.2024 that he only pretended to marry her in order to have physical relations with her. With these allegations, present FIR has been registered.

3. Petitioner filed this petition for quashing of aforesaid FIR on the basis of compromise. Vide order dated 27.05.2025, 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

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been received from the court of Judicial Magistrate Ist Class, Dabwali, Sirsa dated 21.07.2025. 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.

As per the contents of compromise (Annexure P-2), the parties got married on 09.09.2024 according to Hindu Rites. The marriage certificate is dated 13.09.2024. Later on due to their differences, the dispute started which was finally resolved with the intervention of relatives and well wishers. At present, they have dissolved their marriage by filing joint petition under Section 13-B of Hindu Marriage Act, 1955 bearing No.HMA-480-2025, in which decree of divorce has been granted on 03.07.2025 which is produced today in the Court and the same is taken on record.

4. Petitioner-Vijay Kumar Godara also confirmed this fact in his statement. Deputy Superintendent of Police (HQ), Dabwali also 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, Dabwali, Sirsa 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 dissolved their marriage by filing joint petition under Section 13-B of Hindu Marriage Act, 1955 in which decree of divorce has been granted on 03.07.2025. Now, they will be able to live independently in peace and harmony. It will end the litigation started between them.



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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 titled 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. 12 dated 06.01.2025 under Section 85 of Bharatiya Nyaya Sanhita, 2023 and Section 3(1)(s) of SC/ST Act (Section 3(1)(s) of SC/ST Act deleted and Section 3(2)(va) of SC/ST Act and Section 351(2) of BNS added later on) registered at Police Station Sadar Dabwali, District Dabwali, Sirsa (Annexure P-1) and all subsequent proceedings arisen therefrom are quashed qua petitioner.

8. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

(AMARJOT BHATTI)  
JUDGE

**26.08.2025.**

*Sunil Devi*

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