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

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Date of decision : 02.09.2025

Sanjay @ Sanjay Kumar and Ors.

..... Petitioners

V/S

State of Haryana and Ors.

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. Munish Kumar Garg, Advocate for petitioners.

Mr. Ayuwan Singh, AAG, Haryana.

Ms. Bhawna Thakur, Advocate for respondents No.2 & 3.

AMARJOT BHATTI J. (ORAL)

1. Petitioners – Sanjay @ Sanjay Kumar, Lachhman, Mogar Devi @ Mogad have filed this petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of FIR No.28 dated 14.01.2020, registered under Sections 323, 342, 354-A, 354-B, 376, 377, 406, 498-A, 506, 511 & 34 of IPC 1860 (challan presented under Sections 323, 406, 498-A, 506, 34 of IPC), at Police Station Bhiwani Sadar, District Bhiwani (Annexure P-1) and all the subsequent proceedings arising therefrom, qua the petitioners, in light of the compromise effected between the parties dated 11.12.2024 (Annexure P-4).
2. As per facts of the case, complainant/respondent No.2 Manisha filed written complaint against her husband Sanjay Kumar and other members of in-laws family alleging that her marriage was solemnized with Sanjay Kumar on 03.11.2014. Her parents had spent Rs.10 Lacs on her marriage and had given



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one motorcycle along with other dowry articles. Her husband and in-laws family were not satisfied with the dowry articles. They were expecting a car and started raising demand for cash of Rs.5 Lacs and gold ornaments for family members of her husband. She gave birth to a girl child on 24.05.2016. The behaviour of her husband and in-laws family became more violent. She has narrated various incidents which took place in the matrimonial home. She has levelled allegations of sexual harassment against her husband and brother-in-law. She was physically and mentally tortured in the matrimonial home. A false complaint was also filed against her and her brother Manoj. Her entire dowry articles were misappropriated by her husband and in-laws family. Finally, she filed this complaint and on the basis of which, present FIR has been registered.

3. Petitioners filed this petition for quashing of aforesaid FIR on the basis of compromise. Vide order dated 25.02.2025, 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 reports regarding compromise have been received from the court of Judicial Magistrate Ist Class, Bhiwani dated 25.03.2025 & 15.05.2025. Statement of respondent No.2 has been recorded where she confirmed the compromise with petitioners. 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. Petitioners- Sanjay @ Sanjay Kumar, Lachhman, Mogar Devi @ Mogad have also confirmed this fact in their separate statements. Statement of L/HC Sunita is also recorded who confirmed that petitioners are not involved or declared as proclaimed offenders in any other criminal case.



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5. Therefore, from the reports of Judicial Magistrate Ist Class, Bhiwani 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 decided to part ways by filing joint petition under Section 13-B of Hindu Marriage Act. Matter has been settled in Rs.11,20,000/-, out of which Rs.5,60,000/- were to be paid by petitioner No.1 to respondent No.2 at the time of recording of first motion statements and balance amount of Rs.5,60,000/- will be paid at the time of recording of second motion statements. Thereafter, they will be able to live independently in peace and harmony. It will end the litigation started between them.

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 petitioners is accepted and FIR No.28 dated 14.01.2020, registered under Sections 323, 342, 354-A, 354-B, 376, 377, 406, 498-A, 506, 511 & 34 of IPC 1860 (challan presented under Sections



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323, 406, 498-A, 506, 34 of IPC), at Police Station Bhiwani Sadar, District Bhiwani (Annexure P-1) and all subsequent proceedings arisen therefrom are quashed qua petitioners.

(AMARJOT BHATTI)
JUDGE

02.09.2025.

Sunil Devi

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