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

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Date of decision : 08.04.2025

Amit Pandita and Ors.

..... Petitioners

V/S

State of Haryana and Anr.

..... Respondents

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

Present: Ms. Tanu Bedi, Advocate for petitioners.

Ms. Nidhi Garg, AAG, Haryana.

Mr. Jasreet Singh, Advocate for respondent No.2.

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**AMARJOT BHATTI J. (ORAL)**

1. Petitioners - Amit Pandita, Chaman Lal Pandita and Vijayanti Pandita filed petition under Section 482 of Cr.P.C. for quashing of FIR No.0054 dated 09.04.2016, registered under Sections 34, 406, 498-A of IPC, at Women Police Station, Gurgaon, District Gurugram (Annexure P-1) and all the subsequent proceedings arising therefrom, qua the petitioners, in light of the compromise effected between the parties dated 24.09.2024 (Annexure P-2).

2. As per facts of the case, complainant Prashee Peer filed written complaint against her husband Amit Pandita and other members of in-laws family, alleging that she was engaged with Amit Pandita on the intervening night of 3/4<sup>th</sup> March, 2008. Her parents had spent huge money on the ceremony. Behaviour of accused persons was not pleasant right from the beginning. Her father wanted to break this alliance but she stood by Amit Pandita and finally, their marriage took place at Jammu on 24.11.2008. Mother of her father-in-law passed away 10 days prior to their marriage and her in-laws family started blaming her. After one week of their marriage, they left for USA. Her husband

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used to send money to his parents regarding some loan but did not tell her anything. Her husband returned to India by end of October 2009 for two months. She stayed with her in-laws in Jammu. She also started looking for a job and finally started working in Bengaluru. Her husband also joined her who was working from home. Her husband did not want to stay close to her parents. Her in-laws joined them at Bengaluru and started creating trouble for her. Her husband also joined hands with his parents. The complainant has narrated various incidents which took place when her in-laws shifted with them. When her husband went to Germany on a project, her father-in-law used to instruct her to give her salary to him. Thereafter, her husband got Permanent Residency (PR) for New Zealand where his sister was settled. The complainant was told to shift to New Zealand alone when she was 07 months pregnant. She was told to stay at her sister-in-law's house at Auckland. Nobody visited her at the time of her delivery. They wanted her to earn money and nobody was ready to take care of the child. Her child suffers from smallpox and he was not given medical treatment. She narrated everything to her father who arranged air tickets for their return to India. After reaching India, her husband and in-laws' family did not contact her. Her husband wanted separation from her. Thereafter, the matter was reported to the police.

3. Petitioners filed this petition for quashing of aforesaid FIR on the basis of compromise. Vide order dated 14.02.2025, 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 report regarding compromise has been received from the court of Judicial Magistrate Ist Class, Gurugram dated 04.03.2025. Statement of respondent No.2 has been



recorded where she confirmed the compromise with petitioners. She confirmed that this compromise has been effected voluntarily and without any coercion and undue influence and she has no objection regarding quashing of FIR. Petitioners- Amit Pandita, Chaman Lal Pandita and Vijayanti Pandita also confirmed this fact in their separate statements.

4. Learned counsel representing State has already filed status report through Registry, which is taken on record. As per the status report, petitioners No.2 & 3 were found innocent and challan is presented only against petitioner No.1.

Statement of L/ASI Shakuntla is also recorded who submits that initially FIR was registered against three accused. During investigation petitioners No.2 & 3 were found innocent and challan was presented only against petitioner No.1. She 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, Gurugram, 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. Matter has been settled in Rs.40,00,000/- out of which Rs.10,00,000/- were already paid by petitioner to complainant at the time of signing of settlement agreement, Rs.10,00,000/- were paid at the time of filing of quashing petition, Rs.10,00,000/- were paid at the time of recording of statements before learned Illaqa Magistrate and balance amount of Rs.10,00,000/- will be paid at the time of final disposal of quashing petition. Thereafter, they will be able to live independently in peace and



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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.’

7. Therefore, by relying upon the ratio of the aforesaid judgment, no purpose would be served with the continuation of criminal proceedings. During investigation petitioners No. 2 and 3 were found innocent. Considering these facts, the petition filed by the petitioners is accepted and FIR No.0054 dated 09.04.2016, registered under Sections 34, 406, 498-A of IPC, at Women Police Station, Gurgaon, District Gurugram (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua petitioner No. 1.

Petition is accordingly disposed off.

(AMARJOT BHATTI)  
JUDGE

**08.04.2025.**

*Sunil Devi*

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