



CRM-M-37347-2025

-1-

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

289

CRM-M-37347-2025

Date of decision : 17.09.2025

Himanshu Mahajan and Ors.

..... Petitioners

V/S

State of Haryana and Anr.

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. Saleem Ahmed, Advocate for petitioners.

Mr. Ayuwan Singh, AAG, Haryana.

Mr. Anshul Khurana, Advocate for respondent No.2.

AMARJOT BHATTI J. (ORAL)

1. Petitioners – Himanshu Mahajan, Dalip Kumar Gupta and Neelam Gupta have filed this petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of FIR No.90 dated 04.03.2022, registered under Sections 323, 34, 354, 406, 498-A of IPC 1860 at Police Station Badshahpur, District Gurugram (Haryana) (Annexure P-1) and all the subsequent proceedings arising therefrom, qua the petitioners, in the light of compromise effected between the parties dated 08.07.2025 (Annexure P-2).

2. As per facts of the case, complainant/respondent No.2 Ridhima Mahajan filed written complaint against her husband Himanshu Mahajan and other members of in-laws family with the allegations of maltreatment on account of demand for dowry. She got married with Himanshu Mahajan on 27.04.2015. It was their love-cum-arrange marriage. Her parents had spent huge money at

**CRM-M-37347-2025****-2-**

the time of *roka* ceremony and engagement ceremony. Finally, the marriage was fixed for 27.04.2015. The complainant has narrated various incidents which took place soon after her marriage. Her husband went to USA on 04.05.2015. Her husband was unhappy with her. She tolerated the behaviour of her husband and in-laws family with the hope that better sense would prevail upon them. On 14.11.2015, she accompanied her husband to USA. The behaviour of her husband was aggressive and there remained dispute and unhappiness between them. The complainant has narrated various incidents which took place from time to time during their stay in India as well as abroad. She was left in India. During this period, there was no contact between them for a long time. All her documents were with her in-laws. She faced great difficulty in applying for job. She was not provided with any maintenance for two years nor anybody enquired about her well-being. Thereafter, her husband contacted her suddenly and asked for divorce. Matter was reported to the police and present FIR was registered.

3. Petitioners filed this petition for quashing of aforesaid FIR on the basis of compromise. Vide order dated 24.07.2025, 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 01.08.2025. 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.



CRM-M-37347-2025

-3-

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

4. Petitioners- Himanshu Mahajan, Dalip Kumar Gupta and Neelam Gupta also confirmed this fact in their joint statement. Statement of L/HC Sarita is also recorded who confirmed that petitioners are not involved or declared as proclaimed offenders in any other criminal case.

5. Therefore, from the report of Judicial Magistrate Ist Class, Gurugram 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.30,00,000/- Thereafter, they will be able to live independently in peace and harmony. It will end the litigation started between them. At present their marriage has been dissolved by decree of divorce dated 14.08.2025 under Section 13-B of Hindu Marriage Act.

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.'

**CRM-M-37347-2025****-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 petitioners is accepted and FIR No.90 dated 04.03.2022, registered under Sections 323, 34, 354, 406, 498-A of IPC 1860 at Police Station Badshahpur, District Gurugram (Haryana) (Annexure P-1) and all subsequent proceedings arisen therefrom are quashed qua petitioners – Himanshu Mahajan, Dalip Kumar Gupta and Neelam Gupta.

**(AMARJOT BHATTI)
JUDGE**

17.09.2025.*Sunil Devi*

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