



CRM-M-64401-2024 (O&amp;M)

-1-

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

238+110

CRM-M-64401-2024 (O&amp;M)

Date of decision : 12.09.2024

Vikas Chahal and Anr.

..... Petitioners

V/S

State of Haryana and Anr.

..... Respondents

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

Present: Mr. Parminder Singh, Advocate for petitioners.

Mr. Ayuwan Singh, AAG, Haryana.

Ms. Kamlesh, Advocate for respondent No.2/complainant.

\*\*\*\*

**AMARJOT BHATTI J. (ORAL)****CRM-24020-2025**

This is an application u/s 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for making correction in the father's name of petitioner No.1 and husband's name of petitioner No.2 as "Sanjeev" instead of "Sandeep" and for placing on record amended memo of parties.

Learned counsel for the applicant pointed out that due to typographical error name 'Sandeep' instead of 'Sanjeev' was wrongly mentioned.

For the reasons stated in the application, no objection suffered by opposite counsel, same is allowed. Amended memo of parties is taken on record, subject to just exceptions.

Application is disposed of accordingly.

**Main case**

1. Petitioners – Vikas Chahal and Vidya Devi have filed this petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of FIR No.195 dated 03.04.2021, registered under Sections 323, 354, 377, 376, 406, 420, 511, 120-B of IPC, at Police Station Indri, District Karnal (Annexure P-1) whereby challan has been presented under Section 323, 377, 406, 420, 498-A, 120-B of IPC and all the subsequent proceedings arising therefrom, qua the petitioners, in the light of compromise effected between the parties dated 02.12.2024 (Annexure P-2).

2. As per facts of the case, complainant/respondent No.2 'R' filed written complaint that she got married with Vikas son of Sanjeev on 13-12-2018. Her father had given sufficient dowry at the time of marriage. Her mother-in-law indulged in *tantric kirya* and was in relation with a *Baba*. Her mother-in-law used to call a person namely Ram Sharan who was keeping evil eye on her. When she disclosed this fact to her mother-in-law, she did not pay any heed. Said Ram Sharan used to threaten her. At the time of marriage, it was disclosed that Vikas was having Permanent Residency (PR) in Australia and he would take his wife along with him. Her father had spent Rs.35 lakhs on marriage and further gave Rs.50 lakhs to the maternal uncle of Vikas namely Ramcharan. It was assured that PR will be arranged for her. Her brother-in-law Gaurav also kept bad eye on her and tried to commit rape upon her. She was beaten up and ill-treated in the matrimonial home. Finally, she went to Australia along with her husband. She



was being pressurized to have relationship with her brother-in-law to which she refused. Finally, the matter was reported to the police.

Initially, the FIR was registered under Sections 323, 354, 377, 376, 406, 420, 511, 120-B of IPC but challan was presented under Sections 323, 377, 406, 420, 498A, 120-B of IPC.

3. Petitioners filed this petition for quashing of aforesaid FIR on the basis of compromise. Vide order dated 20.03.2025, 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, Indri, Karnal dated 05.04.2025. 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- Vikas Chahal and Vidya Devi also confirmed this fact in their joint statement. Statement of ASI Parvesh Kumari 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, Indri, Karnal 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.15,00,000/-. Thereafter,



CRM-M-64401-2024 (O&M)

-4-

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.195 dated 03.04.2021, registered under Sections 323, 354, 377, 376, 406, 420, 511, 120-B of IPC, at Police Station Indri, District Karnal (Annexure P-1) whereby challan has been presented under Section 323, 377, 406, 420, 498-A, 120-B of IPC and all subsequent proceedings arisen therefrom are quashed qua petitioners.

(AMARJOT BHATTI)  
JUDGE

12.09.2025.

Sunil Devi

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