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

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Date of decision : 13.08.2025

Ashwani Kumar

..... Petitioner

V/S

State of Punjab and Anr.

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. Munish Puri, Advocate for petitioner.

Ms. Amrit Kaur Mahir, AAG, Punjab.

Ms. Deepti Rampal, Advocate for respondent No.2.

AMARJOT BHATTI J. (ORAL)

1. Petitioner – Ashwani Kumar has filed this petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of FIR No.126 dated 30.09.2024, registered under Section 85 of BNS 2023, at Police Station Rahon, District S.B.S. Nagar (Annexure P-1) and all the subsequent proceedings arising therefrom, qua the petitioner, in light of the compromise effected between the parties dated 27.01.2025 (Annexure P-2).

2. As per facts of the case, complainant/respondent No.2 Simranjit Kaur filed written complaint alleging that she had performed marriage with Ashwani Kumar on 11.11.2022. It was a love marriage but with the consent of both the families. After some time, her in-laws started harassing her. They took back all ornaments and started raising demand for dowry. She was physically and mentally harassed. Her husband did not provide any maintenance to her,



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even though he was drawing salary of Rs.80,000/- per month. Her husband took Rs.50,000/- from her mother and did not return it back. The complainant wanted to adjust in the matrimonial home. Her husband had gone to Dubai for work. She was illtreated in the matrimonial home and was pressurized to go to her parental house. Finally, the complaint was filed.

3. Petitioner filed this petition for quashing of aforesaid FIR on the basis of compromise. Vide order dated 20.03.2025, petitioner and respondent No.2 were directed to appear before the trial Court/Illaqa Magistrate for recording their statements on the basis of compromise. Detailed report regarding compromise has been received from the court of Additional Chief Judicial Magistrate, S.B.S. Nagar dated 25.04.2025. 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.

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

4. Petitioner- Ashwani Kumar also confirmed this fact in his statement. Statement of ASI Rajinder Pal is also recorded who confirmed that petitioner is not involved or declared as proclaimed offender in any other criminal case.

5. Therefore, from the report of Additional Chief Judicial Magistrate, SBS Nagar 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.4,50,000/-. Thereafter,



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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 petitioner is accepted and FIR No.126 dated 30.09.2024, registered under Section 85 of BNS 2023, at Police Station Rahon, District S.B.S. Nagar (Annexure P-1) and all subsequent proceedings arisen therefrom are quashed qua petitioner.

(AMARJOT BHATTI)
JUDGE

13.08.2025.

Sunil Devi

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