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

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Date of decision : 05.03.2025

Sunil Mehra

..... Petitioner

V/S

State of Haryana and Anr.

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. Anshuman Dalal, Advocate for petitioner.

Ms. Nidhi Garg, AAG, Haryana.

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

AMARJOT BHATTI J. (ORAL)

1. Petitioner- Sunil Mehra has filed instant petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of FIR No.0010 dated 06.02.2021, under Sections 323, 406, 498-A of IPC (Section 406 of IPC was deleted in report under Section 173 Cr.P.C.), registered at Women Police Station Panchkula, District Panchkula (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 19.07.2024 (Annexure P-2).

2. As per the facts of the case, complainant Anita Kumari filed written complaint addressed to Deputy Commissioner of Police, Panchkula that there was continuous fight with her husband and in-laws family. As a result, she did not feel safe in the matrimonial home. She was continuously taunted for bringing less dowry. She got married with Sunil Mehra on 20.02.2018. Her husband was idle. He used to retain her entire salary. He also levelled false allegations against her for having affair with another boy. At his instance, she left her job and



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thereafter, she was sitting idle in the house. With these allegations, present FIR was registered.

3. Petitioner filed this petition for quashing of aforesaid FIR on the basis of compromise. Vide order dated 14.01.2025, 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 Judicial Magistrate Ist Class, Panchkula dated 03.02.2025. Statement of respondent No.2 has been recorded, where she confirmed the compromise with petitioner. She confirmed that this compromise has been effected without any pressure, coercion or undue influence from any side and she has no objection regarding quashing of FIR.

4. Petitioner- Sunil Mehra also confirmed this fact in his separate statement. Statement of L/HC Prem Kumari is also recorded who further confirmed that accused is not involved or declared as proclaimed offender in any other criminal case.

5. Therefore, from the report of Judicial Magistrate Ist Class, Panchkula, 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. They have decided to part ways by filing joint petition under Section 13-B of Hindu Marriage Act. Matter has been settled in Rs.5,00,000/- out of which Rs.2,50,000/- were paid by petitioner to complainant at the time of recording of first motion statements, and balance amount will be paid at the time of recording of second motion statements.

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Thereafter, they will be able to live independently in peace and 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 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.0010 dated 06.02.2021, under Sections 323, 406, 498-A of IPC (Section 406 of IPC was deleted in report under Section 173 Cr.P.C.), registered at Women Police Station Panchkula, District Panchkula (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua petitioner.

**(AMARJOT BHATTI)
JUDGE**

05.03.2025.*Sunil Devi*

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