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

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Date of decision : 06.08.2025

Brij Pal

..... Petitioner

V/S

State of Haryana and Anr.

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. Anand Vardhan Kahanna, Advocate for petitioner.

Mr. Ayuwan Singh, AAG, Haryana.

Mr. Divyanshu Shukla, Advocate for
Mr. Ashadveer Singh, Advocate for respondent No.2.

AMARJOT BHATTI J. (ORAL)

1. Petitioner – Brij Pal has filed this petition under Section 482 Cr.P.C. read with Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of FIR No.296 dated 27.10.2021, registered under Sections 354, 354-A, 452 and 506 of IPC 1860 at Police Station Chhapar, District Yamuna Nagar (Annexure P-1) and all the subsequent proceedings arising therefrom, qua the petitioner, in light of the compromise effected between the parties dated 30.01.2025 (Annexure P-3).

2. As per facts of the case, complainant/respondent No.2 Reetu filed written complaint alleging that her marriage was performed with Mohinder Singh and out of this wedlock, she was having a son. Her husband expired on 19.07.2021, who was working in a private factory at Baddi, Himachal Pradesh. After the death of her husband, her brother-in-law Brij Pal started keeping evil

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eye on her. He told her to marry him otherwise she will not be permitted to live in the house along with her son. He misbehaved with her several times. With the intervention of relatives and people of the village, she was given two rooms, latrine bathroom separated by a wall. After locking her room, she went to village Saran along with her son. On 06.10.2021, she came back to her house and found that both the locks were broken. Accused Brij Pal and mother-in-law Santosh started abusing her. They threatened to kill her, the police was informed. On 06.10.2021 at about 8:00 PM when she was present in her room, accused came and started touching her in an inappropriate manner. He tried to develop physical relations with her. She tried to threaten the accused that she would call the police. The accused apologised out of fear and ran away from there. Finally, the matter was reported to the police, on the basis of which present FIR has been registered.

3. Petitioner filed this petition for quashing of aforesaid FIR on the basis of compromise. Vide order dated 24.03.2025, petitioner 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, Yamuna Nagar at Jagadhri dated 30.04.2025. 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.

4. Petitioner- Brij Pal also confirmed this fact in his statement. Statement of L/HC Brijesh 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 Judicial Magistrate Ist Class, Yamuna Nagar at Jagadhri, it is clear that the compromise has been effected between the



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parties without any pressure, coercion or undue influence, which is acceptable to both the parties. It would enable them to live in peace and harmony. They have mutually settled all their disputes. It will end all 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 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. Considering these facts, the petition filed by the petitioner is accepted and FIR No.296 dated 27.10.2021, registered under Sections 354, 354-A, 452 and 506 of IPC 1860 at Police Station Chhapar, District Yamuna Nagar (Annexure P-1) and all subsequent proceedings arisen therefrom are quashed qua petitioner.

(AMARJOT BHATTI)
JUDGE

06.08.2025.

Sunil Devi

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