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

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Date of decision : 01.05.2025

Sandeep Kumar

..... Petitioner

V/S

State of Haryana and Anr.

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. Atul Yadav, Advocate for petitioner.

Ms. Nidhi Garg, AAG, Haryana.

Mr. Sandeep Kumar, Advocate for

Mr. Jai Singh Yadav, Advocate for respondent No.2.

AMARJOT BHATTI J. (ORAL)

1. Petitioner-Sandeep Kumar filed this petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 read with Section 482 of Cr.P.C. for quashing of FIR No.30 dated 19.05.2022, registered under Sections 323, 406, 498-A, 506 of IPC, at Women Police Station Manesar Gurugram (Annexure P-1), in light of the compromise effected between the parties dated 14.01.2025 (Annexure P-2).

2. As per facts of the case, complainant Himani filed written complaint against her husband Sandeep Kumar and other members of in-laws family. It is alleged that she got married with Sandeep Kumar on 01.07.2021. Both her in-laws did not like her and they admitted that this marriage was performed for the happiness of their son. They were unhappy with the dowry articles given at the time of marriage. She was treated like a maid in the matrimonial home. Her husband wanted to buy a Polo car but her parents could not afford to give more



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than Rs.6.50 Lacs. Her father gave money from time to time. She was physically and mentally tortured in order to compel her to bring Rs.4,30,000/- for the car. She was illtreated by her husband. There was continuous fight between them. Her husband wanted to settle in Australia. There was continuous pressure on her to bring more money. She has narrated various incidents which took place in the matrimonial home. She was turned out of the matrimonial home. However, the matter was compromised and she came back to the matrimonial home on 27.11.2021. The accused persons repeated their previous behaviour and finally the complaint was filed.

3. Petitioner filed this petition for quashing of aforesaid FIR on the basis of compromise. Vide order dated 13.02.2025, 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, Gurugram dated 21.03.2025. Statement of respondent No.2 has been recorded where she confirmed the compromise with petitioner. She confirmed that this compromise has been effected voluntarily and without any coercion and undue influence and she has no objection regarding quashing of FIR.

4. Petitioner- Sandeep Kumar also confirmed this fact in his separate statement. Statement of L/SI Kiran 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, Gurugram, it is clear that compromise has been effected between the parties without any pressure, coercion or undue influence. They have mutually settled



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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.8,00,000/- out of which Rs.4,00,000/- were already paid by petitioner to complainant at the time recording of first motion statements and balance amount of Rs.4,00,000/- will be paid at the time of recording of second motion statements. 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 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.30 dated 19.05.2022, registered under Sections 323, 406, 498-A, 506 of IPC, at Women Police Station Manesar Gurugram (Annexure P-1) is quashed qua petitioner.

(AMARJOT BHATTI)
JUDGE

01.05.2025.

Sunil Devi



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