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

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CRM-M-5033-2025

Date of decision : 02.07.2025

Sumit Tyagi and Anr.

..... Petitioners

V/S

State of Haryana and Anr.

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. Dhruv Kaushik, Advocate,
Mr. Sonu Bhardwaj, Advocate and
Mr. Jai Deep Kaushik, Advocate for petitioners.

Ms. Nidhi Garg, AAG, Haryana.

Mr. Narender Kumar Rana, Advocate for
respondent No.2.

AMARJOT BHATTI J. (ORAL)

1. Petitioners- Sumit Tyagi and Anita Tyagi have filed instant petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of FIR No.0001 dated 04.01.2021, under Sections 323, 34, 377, 406, 498-A and 506 of IPC, registered at Mahila Police Station, Sonipat (Annexure P-1) and all subsequent proceedings arisen therefrom including challan under Section 173(2) of Cr.P.C. and chargesheet on the basis of compromise dated 09.09.2024 (Annexure P-2).

2. As per facts of the case, complainant Deepa gave her statement to SHO Mahila Police Station, Sonipat alleging that she got married with Sumit Tyagi on 28.11.2019. Her husband started taunting her for not bringing dowry. Her mother-in-law told her to leave the house and she was beaten up by her



husband every day. He sexually assaulted her under the influence of alcohol. She belonged to a poor family and ultimately, she lodged the report with the police.

3. Petitioners filed this petition for quashing of aforesaid FIR on the basis of compromise. Vide order dated 25.03.2025, 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 Chief Judicial Magistrate, Sonipat dated 10.05.2025. 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.

4. Petitioners- Sumit Tyagi and Anita Tyagi also confirmed this fact in their separate statements. Statement of L/HC Pooja 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 Chief Judicial Magistrate, Sonipat 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.2,20,000/- out of which Rs.1,10,000/- were to be paid by petitioners to complainant at the time of recording of first motion statements and balance amount of Rs.1,10,000/- will be paid at the time of recording of second motion statements. Thereafter, they will be able to live independently in peace and



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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 petitioners is accepted and FIR No. 0001 dated 04.01.2021, under Sections 323, 34, 377, 406, 498-A and 506 of IPC, registered at Mahila Police Station, Sonipat (Annexure P-1) and all subsequent proceedings arisen therefrom including challan under Section 173(2) of Cr.P.C. and chargesheet are quashed qua petitioners.

(AMARJOT BHATTI)
JUDGE

02.07.2025.

Sunil Devi

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