



CRM-M-37176-2024

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

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CRM-M-37176-2024

Date of decision : 24.04.2025

Sanju Panchal

..... Petitioner

V/S

State of Haryana and Anr.

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Dr. Rishi Pal Singh, Advocate for petitioner.

Ms. Nidhi Garg, AAG, Haryana.

Mr. Gourav Pal, Advocate for respondent No.2.

AMARJOT BHATTI J. (ORAL)

1. Petitioner- Sanju Panchal has filed petition under Section 482 of Cr.P.C. for quashing of FIR No.127 dated 28.02.2020 (Annexure P-1), registered under Sections 323, 498-A, 506 of IPC 1860, at Police Station Thanesar Sadar, District Kurukshetra on the basis of compromise effected between the parties dated 01.09.2023 (Annexure P-2).

2. As per facts of the case, complainant Anuradha filed written complaint alleging that she was brought up by his grandparents and uncle & aunt. Her marriage was performed with Sanju Panchal on 12.09.2017 as per Hindu Customs. She was given dowry beyond their means. After marriage, accused No.1 on the instigation of accused No.2 to 9 started finding faults in the dowry articles. Her grandfather gave Rs.50,000/- to accused No.2 in the presence of accused No.1 and 3. They were still unhappy and further raised demand for another sum of Rs.5 Lacs as they wanted to set up a shop for their son. Grandfather of the complainant expressed his inability to pay this huge amount.



She was ill-treated in the matrimonial home and was even kept hungry for several days. She was being forced to sell her share in the property in her maternal home. She was badly beaten up by the accused persons and even threatened to kill her. Her grandfather again gave approximately Rs.1.5 Lacs in 3-4 times to the accused but their demands did not stop. During this period, she became pregnant. On the birth of child again her grandparents gave cash amount, a gold chain and cash of Rs.1 Lac to accused No.2. The complainant has narrated various incidents which took place in the matrimonial home and finally, she was turned out of the house on 16.02.2020. Thereafter, the matter was reported to the police.

3. Petitioner filed this petition for quashing of aforesaid FIR on the basis of compromise. Vide order dated 02.08.2024, 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, Kurukshetra dated 17.08.2024. 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- Sanju Panchal also confirmed this fact in his separate statement. Statement of Vinay Kumar, PSI is also recorded who confirmed that petitioner is not declared as proclaimed offender. He further confirmed that FIR No.480 dated 14.09.2020, under Sections 323, 324, 506 read with Section 34 of IPC, at Police Station Sadar Thanesar, Kurukshetra is also registered against present petitioner.

Learned counsel for petitioner placed on record copy of order dated 29.11.2024 passed in CRM-M-37388-2024 vide which FIR No.480 dated



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14.09.2020, under Sections 323, 324, 506 read with Section 34 of IPC, registered at Police Station Sadar Thanesar, Kurukshetra has already been quashed.

5. Therefore, from the report of Judicial Magistrate Ist Class, Kurukshetra, 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 and started living together. They will be able to live in peace and harmony. It will end the litigation started between them. 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.127 dated 28.02.2020 (Annexure P-1), registered under Sections 323, 498-A, 506 of IPC 1860, at Police Station Thanesar Sadar, District Kurukshetra is quashed qua petitioner.

(AMARJOT BHATTI)
JUDGE

24.04.2025.

Sumil Devi

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