

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

**CRM-M-43735-2013
Decided on : 25.05.2015**

Parminder Singh and another ... Petitioners

Versus

State of Punjab and another ... Respondents

CORAM : HON'BLE MS. JUSTICE NAVITA SINGH

Present : Mr. H.S.Rakhra, Advocate for
Mr. Mohd. Yousaf, Advocate
for the petitioners.

Mr. B.S. Bhullar, AAG, Punjab
for respondent No.1.

None for respondent No.2.

NAVITA SINGH, J. (Oral)

This is a petition under Section 482 of the Code of Criminal Procedure, 1973, for quashing of FIR No. 123 dated 20.09.2012, under Sections 406, 498-A IPC and under Section 313 IPC added later on registered at Police Station Dehlon, District Ludhiana, on the basis of compromise, along with all subsequent proceedings arising therefrom.

Respondent No.2 was represented by counsel on 09.07.2014 when this Court had directed the Illaqa Magistrate to record the statements of the parties concerned regarding the compromise. However, after that no one appeared for respondent No.2. She had made a statement before Judicial Magistrate 1st Class, Ludhiana on 30.07.2014 and at that time petition under Section 13-B of the Hindu Marriage Act was stated to be pending. By now the divorce proceedings must have been concluded and probably for that reason respondent No.2 has not

appeared, after making her statement before the Court below.

After recording the statements of the complainant and the petitioners, report was submitted by Judicial Magistrate 1st Class, Ludhiana regarding the compromise which was *prima facie* voluntarily made.

It has been stated by counsel for the petitioners that the parties have compromised the matter. The dispute between the parties was of personal nature. In view of this, there should not be any impediment in allowing the parties to compromise the matter. Support to this view can be had from the authority **Madan Mohan Abbot vs. State of Punjab, 2008 (2) RCR (Criminal) 429**, wherein Hon'ble the Supreme Court has ruled that in such type of cases where the dispute is of personal nature, Court should ordinarily accept the compromise.

In view of the above, the petition is accepted. The above-said FIR and the proceedings connected therewith are hereby quashed.

Disposed of.

May 25, 2015

Naveen

**(NAVITA SINGH)
JUDGE**