

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

Crl. Misc. No.M-32962 of 2015

Date of Decision: 22.04.2016

Charanjit Singh and others

....Petitioners

Versus

State of Punjab and others

....Respondents

BEFORE :- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- Mr. Amit Dhawan, Advocate
for the petitioners.

Mr. Rupam Aggarwal, D.A.G., Punjab
for the respondent-State.

None for respondents No.2 and 3.

DAYA CHAUDHARY, J.

The present petition has been filed under Section 482 Cr.P.C for quashing of FIR No.24 dated 10.03.2014 registered under Sections 406, 498-A and 120-B IPC at Police Station Women Cell, Jalandhar City along with all consequential proceedings arising therefrom, on the basis of compromise.

The FIR, in question, was registered on the basis of complaint made by respondent No.2. The marriage between petitioner No.1 and respondent No.3 was solemnized on 12.11.2012. A daughter was born out of the said wedlock. Petitioners are husband, father-in-law and mother-in-law, respectively of respondent No.3. Some differences arose between the parties and hence, the FIR, in question, was registered. Complainant-

respondents No.2 and 3 effected a compromise with the petitioners with the intervention of the respectables and thereafter, the present petition has been filed for quashing of FIR on the basis of compromise.

Notice of motion in the case was issued on 28.09.2015 and directions were also issued to the parties to appear before the trial Court/Illaq Magistrate for recording of their statements with regard to compromise.

In compliance of said directions, the statements of the parties were recorded by Judicial Magistrate Ist Class, Jalandhar, wherein, the factum of compromise has been affirmed. After recording the statements of the parties, a report has also been sent by Judicial Magistrate Ist Class, Jalandhar, wherein, respondents No.2 and 3 have specifically stated that they have no objection in quashing of FIR as well as other proceedings arising therefrom. As per compromise, a petition filed by respondent No.3 under Section 125 Cr.P.C has also been withdrawn. The compromise arrived at between the parties is as per free will and without any pressure from either side.

A larger Bench of this Court in ***Kulwinder Singh vs State of Punjab 2007(3) RCR Criminal 1052*** has also observed that the proceedings can be quashed even in case of non-compoundable offences, in case, the compromise is there between the parties.

It is a matrimonial dispute and the same has been settled between the parties with their free will and without any pressure. The continuation of proceedings in future would be futile as no purpose is going to be achieved in any manner.

Accordingly, the present petition is allowed and FIR No.24 dated 10.03.2014 registered under Sections 406, 498-A and 120-B IPC at Police Station Women Cell, Jalandhar City along with all consequential

proceedings arising therefrom, qua petitioners Charanjit Singh,
Shiv Dev Singh and Mohinder Kaur are hereby quashed.

22.04.2016
gurpreet

(DAYA CHAUDHARY)
JUDGE