

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

**Criminal Misc. No. M-36646 of 2015  
Date of decision: 08.02.2016**

Satvinder Kaur and others

..Petitioners

Versus

State of Punjab and another

..Respondents

**CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY**

- 1. Whether reporters of local newspapers may be allowed to see judgment? Yes/No**
- 2. To be referred to reporters or not? Yes/No**
- 3. Whether the judgment should be reported in the Digest? Yes/No**

**Present:** Mr. D.S. Randhawa, Advocate  
for the petitioners.

Mr. Rupam Aggarwal, DAG, Punjab  
for respondent No.1 – State.

None for respondent No.2.

**Daya Chaudhary, J.**

This petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.150 dated 27.10.2014 registered under Sections 406 and 498-A of Indian Penal Code (for short 'IPC') as well as Sections 328 and 380 IPC, which were added later on, at Police Station Women Cell, Patiala and other consequential proceedings arising therefrom on the basis of compromise (Annexure P-2) arrived at between the parties.

The aforesaid FIR was registered on the basis of complaint made by respondent No.2. Petitioner No.1 is mother-in-law,

petitioner No.2 is husband, petitioner No.3 is father-in-law, petitioner No.4 is maternal aunt (Massi) and petitioner No.5 is cousin of petitioner No.2 (Massi's son). Certain allegations of demand of dowry and harassment were levelled in the complaint. The allegation of administering poison was also levelled against the petitioners. During pendency of the proceedings, a compromise was arrived at between the parties. Complainant-respondent No.2 has given an affidavit stating therein that she does not want any action to be taken against the accused persons and will have no objection in quashing of the FIR and other proceedings. On the basis of settlement arrived at between the parties, a petition under Section 13-B of the Hindu Marriage Act, 1955 for grant of divorce on mutual consent was to be filed.

While issuing notice of motion on 29.10.2015, the parties were directed to appear before the trial Court for recording of their statements with regard to compromise.

In response to the said directions issued by this Court, the parties appeared before the trial Court and their statements were recorded. After recording of their statements, a report along with the statements of the parties has been sent, which is on record wherein the factum of compromise has been affirmed. It has also been mentioned in the report that the compromise arrived at between the parties is as per free will and without any pressure from either side. It has also been mentioned that the accused have paid half of the settled amount on the first date of hearing of the divorce petition and

the remaining amount was agreed to be paid at the time of making final statement. Complainant-respondent No.2-Harjeet Kaur has specifically stated in her statement that she has settled the dispute with the accused persons and has no objection in quashing of the FIR and other proceedings. She has also stated that out of total settled amount of ₹7,50,000/- she had already received ₹3,75,000/- and the remaining amount is to be paid at the time of recording of second motion statement in the divorce petition.

Learned counsel for the petitioner submits that even the remaining amount has been paid and the divorce petition filed on mutual consent has been allowed on 06.02.2016. The marriage has been dissolved by way of decree of divorce.

Since the dispute between the parties is matrimonial in nature and the same has been settled by way of compromise; complainant has no objection in quashing of the FIR and other proceedings; the divorce petition filed on mutual consent has been allowed and marriage has been dissolved, no purpose would be served in case proceedings are continued in future as it would amount to wastage of precious time of the Court. Moreover, it would not be in the interest of the parties as the complainant is not going to support the case of the prosecution.

It has also been held by Five Judges' Bench of our own High Court in **Kulwinder Singh and others vs. State of Punjab and others, 2007(3) RCR (Criminal) 1052** that this Court has wide power

to quash the criminal proceedings even in non-compoundable offences, notwithstanding the bar under Section 320 of the Criminal Procedure Code in order to prevent abuse of the process of law or to secure the ends of justice.

Accordingly, the present petition is allowed and the impugned criminal proceedings arising out of FIR No.150 dated 27.10.2014 registered under Sections 406 and 498-A as well as Sections 328 and 380 IPC, which were added later on, at Police Station Women Cell, Patiala as well as all subsequent proceedings arising therefrom qua petitioners, namely, Satvinder Kaur, Harjinder Singh, Parminder Singh, Jasvir Kaur and Jashandeep Singh, are hereby quashed.

08.02.2016  
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**(DAYA CHAUDHARY)**  
**JUDGE**