

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

1) CRM-M No.1862 of 2017  
Date of Decision: 08.02.2017

Birinder Singh Tiwana and another

. . . Petitioners

Versus

State of Punjab and another

. . . Respondents

2) CRM-M No.1865 of 2017  
Date of Decision: 08.02.2017

Sharanpreet Kaur Litt and others

. . . Petitioners

Versus

State of Punjab and another

. . . Respondents

**CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA**

Present: Mr. J.S. Brar, Advocate  
for the petitioners.

Ms. Simsi Dhir Malhotra, DAG, Punjab.

Mr. Chandra Shekhar Singh, Advocate  
for the respondent No.2

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**Tejinder Singh Dhindsa, J. (Oral)**

This order shall dispose of CRM-M No.1862 of 2017

(Birinder Singh Tiwana and another Versus State of Punjab and

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another) and CRM-M No.1865 of 2017 (Sharanpreet Kaur Litt and others Versus State of Punjab and another) as both the petitions have been preferred under Section 482 Cr.P.C. seeking quashing of the FIR No.07 dated 30.05.2013, under Section 406 IPC, registered at Police Station NRI (P.S.), District Ludhiana City and FIR No.152 dated 18.10.2013, under Sections 467, 468, 471, 120-B IPC, Police Station Payal, District Khanna.

It is the contention of the counsel appearing for the petitioners that both the FIR were lodged at the instance of Upinder Singh Gill son of late Shri Gurdarshan Singh, who has been impleaded as party-respondent No.2, in both the petitions.

The allegations are on account of the fall out of a matrimonial alliance between Birinder Singh Tiwana (petitioner No.1 herein in CRM-M No.1862 of 2017) and Karamvir Kaur i.e. daughter of the complainant.

Petitioners in CRM-M No.1865 of 2017 are close relatives of the husband, namely, Birinder Singh Tiwana.

Learned counsel appearing for the petitioners in both these petitions contend that the matrimonial dispute has since been settled and a settlement agreement has been entered into between the parties.

Counsel has even adverted to the settlement agreement dated 04.11.2016, which has been placed on record as Annexure P/3 along with CRM-M No.1865 of 2017. Learned

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counsel has further adverted to the order dated 14.02.2014, passed by the Supreme Court of British Columbia to assert that certificate of divorce has been granted whereby marriage between Birinder Singh Tiwana and Karamvir Kaur stands dissolved.

Mr. Chandra Shekhar Singh, Advocate has put in appearance on behalf of complainant/ respondent No.2 and concedes to the factum of settlement of matrimonial dispute.

Mr. Upinder Singh-complainant appeared in person and is duly identified by HC Dayal Chand of Police Station NRI, Ludhiana City. The complainant states that he has no objection to the quashing of the FIR(s).

This Court in appropriate cases can exercise the power under Section 482 Cr.P.C. for quashing of criminal proceedings/FIR on the basis of compromise. A reference in this regard may be made to a Full Bench decision of this Court in ***Kulwinder Singh & others Vs. State of Punjab & others, 2007 (3) RCR (Criminal) 1052.***

In the facts of the present case, it would be a fit case to intervene in exercise of its powers under Section 482 Cr.P.C. and to recognize the compromise that has been entered into between the parties. Continuation of criminal proceedings under such circumstances would be a futile exercise and would be construed as an abuse of the process of law as also of the Court.

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In view of the reasons recorded above, both the petitions are allowed. FIR No.07 dated 30.05.2013, under Section 406 IPC, registered at Police Station NRI (P.S.), District Ludhiana City and FIR No.152 dated 18.10.2013, under Sections 467, 468, 471, 120-B IPC, Police Station Payal, District Khanna and all proceedings emanating therefrom stand quashed.

**[ TEJINDER SINGH DHINDSA ]**  
**JUDGE**

08.02.2017  
*sachin*

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|-----------------------------|--------|
| Whether Speaking/reasoned : | Yes/No |
| Whether Reportable :        | Yes/No |