

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

**CRM No. M-39924 of 2016 (O&M)
Date of Decision: 11.05.2017**

Sharanjit Kaur & another

--Petitioners

Versus

State of Punjab & another

--Respondents

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

Present:- Mr. B.S. Jaswal, Advocate for the petitioners.

Mr. P.S. Madahar, AAG, Punjab.

Ms. Kaavya Jariyal, Advocate for respondent No.2.

TEJINDER SINGH DHINDSA, J.

The instant petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.143, dated 16.10.2013, under Sections 451/380/323/504 IPC, registered at Police Station C-Division, District Amritsar on the basis of compromise.

While issuing notice of motion on 09.11.2016, this Court had directed the parties to appear before the Illaqa Magistrate concerned for recording of their statements in support of the compromise. A veracity report was also called for.

Placed on record is a report dated 30.11.2016 of the learned Judicial Magistrate 1st Class, Amritsar and a perusal of the same would reveal that statements of the complainant/respondent No.2, Gurdeep Singh as also of the petitioners herein i.e. Sharanjit Kaur and Jatinder Kaur have been duly recorded and it has been opined that the compromise has been effected between the parties without any fear, pressure or coercion.

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.***

Adverting back to the facts of the present case, Court has been apprised that the FIR has been registered as a fallout of a bad marriage. Complainant, Gurdeep Singh was none other than the husband of petitioner No.1 and son-in-law of petitioner No.2. Parties have compromised the matter. Even the matrimonial alliance has been snapped inasmuch as in pursuance to Section 13-B of the Hindu Marriage Act, a decree of divorce has been granted by the competent Court on 27.10.2016.

Even counsel representing respondent No.2 makes a statement in Court that she would have no objection to the quashing of the FIR in the light of the compromise.

In view of the above, it would be a fit case for this Court to exercise powers under Section 482 Cr.P.C. and bring to an end the prosecution initiated in the light of the impugned FIR.

For the reasons recorded above, the present petition is allowed. FIR No.143, dated 16.10.2013, under Sections 451/380/323/504 IPC, registered at Police Station C-Division, District Amritsar and all proceedings emanating therefrom qua the present petitioners stand quashed.

Petition allowed in the aforesaid terms.

11.05.2017

harjeet

(TEJINDER SINGH DHINDSA)
JUDGE

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| i) | Whether speaking/reasoned? | Yes |
| ii) | Whether reportable? | No |