

CRM-M-36273-2018

Date of Decision : 26.04.2019

Avrinder Singh and others

.....Petitioners

versus

State of Punjab and another

....Respondents

CORAM : HON'BLE MR. JUSTICE FATEH DEEP SINGH**Present:** None for the petitioners.

Mr. Rakeshinder Singh Sidhu, AAG, Punjab
for respondent No.1-State assisted by
ASI Gurnam Singh, Police Station Women, Patiala.

None for respondent No.2.

FATEH DEEP SINGH, J. (ORAL)

The members of the Bar are abstaining from work today.

Records perused.

Report dated 06.10.2018 of the learned Judicial Magistrate 1st

Class, Patiala has been received whereby after recording statements of respondent No.2-Talwinder Kaur and accused/petitioners, namely, Avrinder Singh, Harinder Singh, Sukhwinder Kaur, Harpreet Kaur, Shamsher Kaur, Sharanjit Kaur and Jaspreet Kaur, the Court has shown its satisfaction that the compromise has been arrived at voluntarily, out of their own free will, without any undue influence, coercion or pressure.

The complainant-Talwinder Kaur in her statement has

specifically mentioned that divorce petition under Section 13-B of the Hindu Marriage Act is pending before the Court of the learned Additional District Judge, Patiala and stated that she has no objection if the FIR against the accused is quashed as there is likelihood of passing of decree of divorce by the learned Court below.

Records perused.

In the light of the satisfaction shown by the Court and the fact that the dispute between the parties being a pure matrimonial and the offence for which the accused have been hauled up are not of serious nature, together with the fact that compromise will go a long way in ironing out differences for betterment of future life of the parties and in view of the law laid down in '**Gian Singh Vs. State of Punjab and another**' 2012 (4) RCR (Criminal) 543 and '**Kulwinder Singh and others Vs. State of Punjab and another**' 2007 (3) RCR (Criminal) 1052, the prayer made in the petition is allowed, proceedings by way of FIR No. 18 dated 02.06.2018 registered at Police Station Women, District Patiala under Sections 498-A and 406 IPC, and all consequences arising out of the said FIR qua the petitioners are quashed.

The petition stands allowed in those terms.

(FATEH DEEP SINGH)
JUDGE

26.04.2019
Neha

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No