

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

**CRM-M-25506 of 2020 (O&M)
Date of Decision:04.11.2020**

Palwinder Singh & others

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. B.K. Saini, Advocate for the petitioners.

Mr. A.S. Sandhu, Addl. A.G. Punjab.

Mr. Saransh Sabharwal, Advocate for respondent No.2.

TEJINDER SINGH DHINDSA J.(Oral)

This case has been taken up through Video Conferencing via Webex facility in the light of Pandemic Covid-19 situation and as per instructions.

Instant petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.0008 dated 17.01.2019, registered under Sections 406, 498-A and 120-B IPC at Police Station City Moga, District Moga, on the basis of a compromise which as per counsel was entered into between the parties.

Instant petition had come up for preliminary hearing before this Court on 01.09.2020 and while issuing notice of motion, parties were directed to appear before the Duty Magistrate concerned for recording of their statements in support of the compromise.

Report in such regard had been called for.

Placed on record is a report dated 10.09.2020 of the Chief Judicial Magistrate, Moga and a perusal thereof would reveal that the statements of the complainant Gurpreet Kaur/respondent No.2 herein as also of the accused party i.e. the petitioners herein have been duly recorded and it has been opined that the compromise had been entered into voluntarily and without any coercion and undue influence. The statements recorded of the parties have also been appended alongwith the report.

Mr. Saransh Sabharwal, Advocate, has entered appearance on behalf of respondent No.2-complainant and concedes to the factum of compromise and does not oppose the prayer made in the petition.

It has gone uncontroverted that complainant is none other than the wife of petitioner No.1. Petitioner No.2 is the mother of petitioner No.1 and petitioner No.3 is sister of petitioner No.1. The allegations stemmed from a matrimonial dispute and now with the intervention of the elders, matter has been amicably settled.

As per statements recorded between the parties, the complainant has joined company of her husband/petitioner No.1 herein and is staying happily in her matrimonial home since March 2020.

In the considered view of this Court, it would be an appropriate case for exercise of powers under Section 482 Cr.P.C. to bring to an end the criminal prosecution initiated by virtue of registration of the impugned FIR. Parties having resolved their differences and to ensure that they continue in a happy marriage, it is a fit case for quashing of the FIR.

In view of the above, petition is allowed.

FIR No.0008 dated 17.01.2019, registered under Sections 406, 498-A and 120-B IPC at Police Station City Moga, District Moga and all proceedings emanating therefrom are quashed.

Petition is allowed.

(TEJINDER SINGH DHINDSA)
JUDGE

November 04 , 2020

shweta

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No