

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CRM-M-6003-2020

Date of Decision: 11.02.2022.

AJAY VERMA

... PETITIONER

VS.

STATE OF PUNJAB AND ANOTHER

.. RESPONDENTS

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. Vipin Mahajan, Advocate  
for the petitioner.

Ms. Ruchika Sabherwal, AAG, Punjab.

Ms. Shewta Bawa, Advocate for  
Mr. Vishal Munjal, Advocate  
for respondent No.2.

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**VIVEK PURI, J.(ORAL)**

The matter has been taken up through video-conferencing due to COVID-19 pandemic.

Petitioner has approached this Court by way of instant petition under Section 482 Cr.P.C. invoking its inherent jurisdiction for quashing of FIR No.143 dated 26.12.2015 under Sections 406 and 498-A IPC registered at Police Station City Gurdaspur, District Gurdaspur on the basis of compromise.

On 20.12.2021, the parties were directed to get their statements recorded before the learned trial Court/ Illaqa Magistrate.

In compliance of the order dated 20.12.2021, the statements of the parties have been recorded and the learned Judicial Magistrate 1<sup>st</sup> Class, Gurdaspur has sent the report to the following effect:-

*“In compliance of order dated 20.12.2021 passed  
by the Hon'ble Punjab and Haryana High Court,*

*Chandigarh in CRM No. 42545 of 2021, I have the honour to submit that complainant Sonia Wife of Ajay Verma daughter of Sh. Jagdish Raj has appeared before this court on 19.01.2022 and stated that on her statement, FIR No. 143 dated 26.12.2015, under Sections 498-A and 406 IPC was registered at Police Station, City Gurdaspur against accused Ajay Verma. She further stated that now the matter has been compromised with the accused with the intervention of respectables and said compromise has been entered into with her free consent without any pressure or coercion. She further stated that she has no objection, if the FIR registered against the accused is quashed.*

*Accused Ajay Verma has also suffered separate statement that on the statement of complainant Sonia, FIR No. 143 dated 26.12.2015, under Sections 498-A and 406 IPC was registered at Police Station, City Gurdaspur against him. Now the matter has been compromised with the complainant with the intervention of respectables and the said compromise has been entered into with his free consent without any pressure or coercion.*

*The parties have been duly identified by their respective counsels.*

*From the statements of the parties, it appears that the parties have entered into compromise without any pressure, coercion, undue influence and same is genuine and voluntarily done with free consent of the parties. ”*

It has been stated that the matrimonial dispute has been amicably settled. Petitioner and respondent No.2 have instituted a petition under Section 13-B of the Hindu Marriage Act for dissolution of marriage by mutual consent, wherein statements of the parties at the stage of first motion have been recorded.

After hearing learned counsel for the parties and going through the record of the case, this Court is of the considered opinion that it is a fit case for exercising the inherent jurisdiction of this Court under Section 482 Cr.P.C., so as to secure the ends of justice because the parties have arrived at a settlement, out of the Court, by way of compromise. The compromise is without any pressure and a genuine one. In such a situation, continuation of the prosecution would result in sheer abuse of process of law.

For the aforesaid view, this Court finds support from *Kulwinder Singh and others Vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052*, upheld by Hon'ble Apex Court in *Gian Singh Vs. State of Punjab and others (2012) 10 SCC 303*.

Considering the peculiar facts and circumstances of the case noted above, coupled with the reasons aforementioned and to secure the ends of justice, FIR No.143 dated 26.12.2015 under Sections 406 and 498-A IPC registered at Police Station City Gurdaspur, District Gurdaspur on the basis of compromise and all consequential proceedings arising therefrom on the basis of compromise are ordered to be quashed, however, qua the petitioner only.

Resultantly, with the above-said observations made, the instant petition stands allowed.

11.02.2022  
smriti

(VIVEK PURI)  
JUDGE

Whether speaking/reasoned : Yes/No  
Whether Reportable : Yes/No