

CRM-M-9847-2022  
Date of decision: 14.07.2022

SUKHDEV SINGH ANR ORS.

...PETITIONERS

VERSUS

STATE OF PUNJAB AND ANR.

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE VIVEK PURIPresent: Mr. Munish Puri, Advocate  
for the petitioners.

Ms. Ruchika Sabherwal, AAG, Punjab.

Ms. Deepti Rampal, Advocate  
for respondent No.2.

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VIVEK PURI, J. (ORAL)

Petitioners have approached this Court by way of instant petition under Section 482 Cr.P.C. invoking its inherent jurisdiction for quashing of FIR No.01 dated 01.01.2022, under Sections 498-A/406/325/323/34 IPC, 1860, registered at Police Station Qila Lal Singh, District Batala and all the consequential proceedings arising therefrom, on the basis of compromise.

On 08.03.2022, parties were directed to appear before the Trial Court/Illaq Magistrate and get their statements recorded with regard to the compromise arrived at between them.

The trial Court was directed to record the statements of all the concerned and send its report regarding genuineness and voluntary nature of the compromise.

In compliance of the order dated 08.03.2022, learned Judicial Magistrate 1<sup>st</sup> Class, Batala has recorded the statements of the parties and submitted the report, the relevant para whereof reads as under:-

*“It is submitted that from the statement of the parties,  
it appears that compromise is genuine and without any*

*pressure, coercion and undue influence. It is further submitted that as per version of IO, there are three persons arraigned as accused namely Sukhdev Singh S/o Faqir Chand, Faqir Chand S/o Sai Dass and Kulwant Kaur W/o Faqir Chand all are R/o Village Virk, Ghuman Kalan, PO Athwal, Tehsil & District Gurdaspur as per FIR. It is further averred that no accused persons are involved in any other FIR and in this FIR there is only one complainant/respondent No.2 Palwinder Kaur Wife of Sukhdev Singh D/o Lal Singh resident of Village Virk, Ghuman Kalan, Tehsil & District Gurdaspur. In this case, there is no accused person who has been declared as proclaimed offender. ”*

Learned counsel for the petitioners contend that the matrimonial dispute has been amicably settled between the parties in terms of compromise deed dated 24.02.2022 (Annexure P-2) and they are now happily residing together with the minor child in the matrimonial house.

Learned counsel for respondent No.2 states that she has no objection if FIR is quashed.

After hearing the 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.

The controversy in the instant case does not indicate that the same involves heinous or serious offences and furthermore, the matrimonial dispute has

been sought to be amicably settled. Consequently, a deserving case is made out

where the court should exercise the power to secure the ends of justice.

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.01 dated 01.01.2022, under Sections 498-A/406/325/323/34 IPC, 1860, registered at Police Station Qila Lal Singh, District Batala and all the consequential proceedings arising therefrom, are ordered to be quashed, however, qua the petitioners only.

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

14.07.2022  
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(VIVEK PURI)  
JUDGE

Whether speaking/reasoned: Yes/No  
Whether reportable: Yes/No