

IN THE HIGH COURT OF PUNJAB & HARYANA AT  
CHANDIGARH

262

CRM-M-23814-2022

Date of decision:05.09.2022

Gurpreet Singh

... Petitioner

Vs.

State of Punjab and another

... Respondents

**CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL**

Present: Mr. Saurabh, Advocate for  
Ms. Gurdeep Kaur, Advocate for the petitioner.

Mr. Vipin Pal Yadav, Addl. A.G., Punjab.

Mr. Rupender Singh Rana, Advocate  
for respondent No.2.

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**SUVIR SEHGAL J. (ORAL)**

On 30.05.2022, this Court passed the following order:-

*“Prayer in this petition is for quashing of FIR No.77 dated 06.09.2019 under Sections 406 and 498-A of IPC, 1860, registered at Women Police Station, Jalandhar, Annexure P-1, along with all consequential proceedings arising therefrom, on the basis of compromise deed dated 04.05.2022, Annexure P-2.*

*Counsel for the petitioner submits that petitioner was married to respondent No.2 on 09.04.2015, however, due to some misunderstanding between them, FIR, Annexure P-1, was registered by respondent No.2. Counsel submits that a compromise was arrived at between the parties in March, 2021 and a petition (CRM-M-14939-2021) was filed for quashing of the FIR, but during its pendency, a fresh compromise was arrived at between the parties and the petition was withdrawn. Counsel submits that though proceedings were initiated for dissolving the marriage by mutual consent, but they have also been withdrawn on 14.10.2021, parties have resolved all their differences and intend to stay together.*

*Notice of motion.*

*On asking of the Court, Mr. A.S. Gill, Sr. DAG, Punjab, accepts notice on behalf of respondent No.1-State. As per instructions received by him from ASI Lakhwinder Singh, matter is under investigation.*

*Mr. Rupender Singh Rana, Advocate accepts notice on behalf of respondent No.2 and has filed his Power of Attorney in Court, which is taken on record. He admits the factum of compromise and statement made by counsel for the petitioner.*

*The parties and Investigating Officer are directed to appear before the Area Magistrate/Trial Court on 08.08.2022 or on any date thereafter as fixed by the trial court, for getting their statements recorded with regard to the compromise. The Area Magistrate/Trial Court shall submit a report on or before the next date of hearing specifying the following:-*

*1. the number of accused arraigned in the FIR and how many have appeared before it and have made statements and whether any accused is absconding/P.O. in the case;*

*2. the name of the complainant and injured/aggrieved and whether all of them have appeared and made their statements in support of the compromise;*

*3. the stage of trial/proceedings;*

*4. if the compromise is genuine, voluntary and out of free will of the parties.*

*5. whether any other criminal case is pending against the accused.*

*Report of Area Magistrate/Trial Court be awaited for 05.09.2022.”*

Counsel for the petitioner submits that petitioner and respondent No.2 are living together. This fact has been affirmed by counsel representing respondent No.2.

Report has been received from the trial court pursuant to the above-said reproduced order and its relevant extract is as under:-

*“As per record the name of the complainant of the present case is Ikroop Kaur and except her there is no other complainant in this FIR. The name of the accused person is Gurpreet Singh. Except him, there is no other persons nominated by the police as accused. As per record, accused is*

*neither involved in any other case in Jalandhar nor declared proclaimed offender in any other criminal case in Jalandhar. At present, the case is pending for awaiting challan.*

*Both parties have compromised the matter. There is no grudge remain between parties. The Compromise is voluntarily, without any pressure or coercion. This court is of the considered opinion that the compromise has been effected between the complainant and accused and same is voluntary, without any pressure or coercion and is genuine one.”*

FIR, is a fallout of a trivial matrimonial dispute, which has been settled. Parties have ironed out their differences and are living together. Keeping in view the above development, report of the trial court and the judgments of the Supreme Court in ***Gold Quest International Private Limited Versus The State of Tamil Nadu and others (2014) 15 SCC 235*** and ***Parbatbhai Aahir alias Parbatbhai Bhimsinhbhai Karmur and others Versus State of Gujarat and another (2017) 9 SCC 641***, this Court is of the view that prolonging the criminal proceedings would not serve any purpose.

Accordingly, petition is allowed. FIR No.77 dated 06.09.2019 under Sections 406 and 498-A of IPC, 1860, registered at Women Police Station, Jalandhar, Annexure P-1, and all the consequent proceedings arising therefrom, are quashed qua the petitioner.

05.09.2022  
*sheetal*

(SUVIR SEHGAL)  
JUDGE

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|---------------------------|--------|
| Whether Speaking/Reasoned | Yes/No |
| Whether Reportable        | Yes/No |