

IN THE HIGH COURT OF PUNJAB & HARYANA AT  
CHANDIGARH

256

CRM-M-21995-2022

Date of decision:19.12.2022

Lakhwinder Singh

... Petitioner

Vs.

State of Punjab and another

... Respondents

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

Present: Mr. Amit Dhawan, Advocate for the petitioner.

Mr. Jashanpreet Singh, DAG, Punjab.

Mr. Ramandeep Singh Brar, Advocate for  
Ms. Niritika Verma, Advocate for respondent No.2.

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**SUVIR SEHGAL J. (ORAL)**

On 19.07.2022, this Court passed the following order in the main  
petition:-

*“Prayer in this petition is for quashing of FIR No.62 dated 25.08.2019 under Section 498-A of IPC, 1860, however, Section 406 of IPC was added later on, registered at Women Police Station, Jalandhar, Annexure P-1, along with all consequential proceedings arising therefrom, on the basis of settlement/compromise dated 05.05.2022, Annexure P-2, arrived at between the parties.*

*Counsel for the petitioner submits that petitioner is the husband of complainant/respondent No.2, their marriage was solemnized on 09.02.2002 and two daughters were born out of the wedlock. He submits that FIR is an offshoot of a minor dispute between the parties, which has been settled by virtue of compromise, Annexure P-2, arrived at before the Mediation and Conciliation Centre of this Court.*

*Upon instructions from SI Varinder Singh, State counsel submits that the allegations in the FIR, are being investigated.*

*Counsel for the complainant/respondent No.2 admits the factum of compromise and does not controvert the 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 19.12.2022.”*

Counsel for the petitioner submits that all the terms and conditions of the compromise, Annexure P-2, have been complied with, which fact has been admitted by counsel representing complainant/respondent No.2, who further submits that the complainant does not have any objection, in case, the prayer made in the petition is acceded to.

Heard counsel for the parties.

Report has been received in deference to the above reproduced order and its relevant extract is as under:-

*“The parties were present with their counsel and got recorded their statements in respect to the compromise taken place between them. All the parties are duly identified by their counsels.*

*As per record the name of the complainant of the present case is Varinderjit and except her there is no other complainant in this FIR. The name of the accused person is Lakhwinder 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.”*

As FIR, Annexure P-1, had essentially arisen out of a matrimonial dispute, which has been amicably settled and the parties are stated to be living together under one roof, this Court has no hesitation in exercising its inherent powers under Section 482 and quashing the criminal proceedings.

Accordingly, petition is allowed. FIR No.62 dated 25.08.2019 under Section 498-A of IPC, 1860, however, Section 406 of IPC was added later on, registered at Women Police Station, Jalandhar, Annexure P-1, and all the consequent proceedings arising therefrom, are quashed qua the petitioner.

19.12.2022  
sheetal

(SUVIR SEHGAL)  
JUDGE

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