

**248 IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH**

**CRM-M-53224-2021  
Date of Decision: 21.04.2022**

**NAURUHI SINGH AND ANOTHER ... PETITIONERS  
V/S  
STATE OF PUNJAB AND ANOTHER ... RESPONDENTS**

**CORAM: HON'BLE MR. JUSTICE VIVEK PURI**

Present: Mr. Atul Goyal, Advocate  
for the petitioners.

Ms. Ruchika Sabherwal, AAG Punjab.

Mr. Amandeep Singh, Advocate for respondent No.2.

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

Present petition under Section 482 Cr.P.C. is for quashing of FIR No. 140 dated 09.09.2020 under Sections 406, 498-A, 506 IPC, registered at Police Station Khanna City-2, Police District Khanna and all the consequential proceedings arising therefrom, on the basis of compromise (Annexure P-2).

On 20.12.2021 the parties were directed to appear before the Trial Court 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 of the compromise.

In compliance of the order dated 20.12.2021, learned Judicial Magistrate First Class, Khanna has recorded the statements of the parties and submitted his report, the relevant portion whereof reads as under:-

“From the aforesaid statements written by the undersigned, it appears that:-

(1) As per the statement of ASI Sohan Singh No.727/Khanna, two persons namely Nauruhi and Mamta Rani have been arrayed as accused in the present FIR.

(2) Further, as per the statement of ASI Sohan Singh No.727/Khanna, accused Nauruhi and Mamta Rani have not been declared as proclaimed offenders in this case.

(3) In the opinion of the undersigned, the parties have voluntarily without any pressure or coercion or undue influence, and out of their free will and consent have entered into the compromise between themselves and have settled the matter amicably and the said compromise on the face of it seems to be voluntary, genuine and true. The dispute between the parties was matrimonial dispute and there is nothing on the file to suspect the compromise between the parties.

(4) As per the statement of ASI Sohan Singh No.727/Khanna, accused Nauruhi and Mamta Rani are not involved in any other FIR.

(5) Further as per the statement of ASI Sohan Singh No.727/Khanna, there is only one victim/complainant namely Pawandeep n the present FIR.”

Learned counsel for the petitioners contend that matrimonial dispute has been amicably settled between the parties in terms of compromise, Annexure P-2. The marriage between petitioner No.1 and respondent No.2 has been dissolved by mutual consent under Section 13-B of Hindu Marriage Act. A sum of Rs. 9,50,000/- has been paid on account of permanent alimony and the custody of the minor daughter shall remain with respondent No.2.

Learned counsel for respondent No.2 has acknowledged this fact and has stated that he has no objection if the aforementioned FIR is quashed.

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

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 (Annexure P-2). The compromise is without any pressure and is 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*.

Accordingly, the present petition is allowed and FIR No.140 dated 09.09.2020 under Sections 406, 498-A, 506 IPC, registered at Police Station Khanna City-2, Police District Khanna and all the consequential proceedings arising therefrom are quashed qua the petitioners only.

21.04.2022

Janki

(VIVEK PURI)  
JUDGE

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