

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

CRM-M-47522-2019

Date of Decision:- 14.11.2022.

KAMALBIR SINGH & ANR.

....Petitioners

Vs.

STATE OF PUNJAB & ANR.

...Respondents

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Sandeep Sharma, Advocate for the petitioner.
Ms. Ramta Chaudhary, DAG, Punjab

AMARJOT BHATTI, J. (Oral)

The petitioners have filed the instant petition under Section 482 CrP.C. for quashing the FIR No.157 dated 03.07.2017 under Sections 498-A, 406, 323, 325 of IPC registered at Police Station Bhikhiwind, District Tarn Taran and all consequential proceedings arising therefrom on the basis of compromise dated 20.05.2019.

The brief facts of the case are that Charanjit Kaur filed written complaint against her husband Kamalbir Singh, mother-in-law Jasbir Kaur and other family members alleging the maltreatment given to her in the matrimonial home and turning her out along with her 5 years old daughter on account of bring less dowry. Charanjit Kaur stated that her marriage was performed by her parents and brothers with Kamalbir Singh on 20.02.2010. They had given dowry articles consisting of household articles, gold ornaments, motorcycle, cooler, etc. on different ceremonies. They had also given gifts to the family members of her husband. Her parents had spent Rs.12-13 lakhs on marriage. However, she was

maltreated in the matrimonial home on account of bringing less dowry. She has narrated different incidents when she was maltreated, beaten up and even returned to her parental home. Finally she was turned out to her parental home on 03.06.2016. Her in-laws family refused to rehabilitate her ultimately the complaint was filed on the basis of which aforesaid FIR was registered.

The petitioners have filed the present petition on the basis of compromise for the quashing of FIR and all subsequent proceedings. The petitioners and respondent No.2 were directed to appear before the Trial Court/Illaq Magistrate for recording of their statements on the basis of said compromise. The detailed report dated 10.08.2022 has been received from Ld. Judicial Magistrate 1st Class Patti in which it is reported that the parties have compromised the matter without any pressure or coercion. It has further reported that no accused has been declared as proclaimed offender. While recording the statement of the petitioners and respondent No.2 one compromise dated 20.05.2019 Mark-A, was also produced which shows that as per compromise Charanjit Kaur has started living in the matrimonial home along with her minor daughter Seeratdeep Kaur.

Ld. Assistant Advocate General has not opposed the aforesaid compromise report.

I have heard the learned counsel for both the parties and have gone through the record the quashing of aforesaid FIR under Section 498-A, 406, 323 and 325 IPC is based on compromise as per this compromise Charanjit Kaur has returned back to the matrimonial home along with her minor daughter. The conduct of the parties clearly indicate that they have amicably resolved all their disputes and differences. The matrimonial life

of Charanjit Kaur is saved due to the aforesaid compromise. The continuation of criminal prosecution of both the accused will not serve any purpose. As per the authorities cited in **2003 (2) RCR (Crl) 888 titled as B.S. Joshi and Ors. Vs. State of Haryana & Anr.** the quashing of FIR, on the basis of compromise in non-compoundable case, is permissible to secure the ends of justice.

Therefore, considering the aforesaid facts, the petition filed by the petitioner is allowed and the FIR No.157 dated 03.07.2017 under Sections 498-A, 406, 323, 325 of IPC registered at Police Station Bhikhiwind, District Tarn Taran and all consequential proceedings arising therefrom are quashed qua the petitioners.

The petition is disposed of accordingly.

14.11.2022

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(AMARJOT BHATTI)
JUDGE

Whether speaking/reasoned: Yes/No.

Whether reportable: Yes/No