

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

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CRM-M-5817-2022

Date of decision : 05.01.2023

Gurjit Singh and Anr.

..... Petitioners

V/S

State of Punjab and Anr.

..... Respondents

CORAM : HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present: Mr.Prateek Sodhi, Advocate
for the petitioners.

Mr. Hemant Aggarwal, AAG, Punjab.

Mr. Umesh Aggarwal, Advocate for respondent No.2.

AMARJOT BHATTI J. (ORAL)

The petitioners- Gurjit Singh and Viro @ Vajir Kaur have filed the instant petition under Section 482 of Cr.P.C. for quashing of FIR No.66 dated 30.08.2018, registered under Sections 406, 498-A IPC at Police Station Women Cell, District Amritsar Commissionerate and all other subsequent proceedings on the basis of compromise between the parties (Annexure P-2) .

The brief facts of the case are that complainant-Sarabjit Kaur filed a written complaint against her husband and in-laws family alleging that her marriage was performed with Gurjit Singh on 31.07.2015 and her parents had given dowry articles beyond their capacity. After some time, she was beaten up and ill-treated by her husband and mother-in-law. She was taunted that her parents did not

give a vehicle at the time of marriage. She was sent back to her parental house. With the intervention of Panchayat she was taken back in the matrimonial home, but there was no change in their behaviour. During this period she gave birth to a daughter in her parental house. Her husband and in-laws family started raising demand for FDR of Rs.5 lacs in the name of child otherwise she will not be taken back in the matrimonial home. Her parents were not having the capacity to pay this huge amount as they are seven sisters and brother. Ultimately, the complaint was filed and the FIR got registered.

As per the FIR the complainant is Sarabjit Kaur i.e. respondent No.2, therefore, there is no requirement to implead Balraj Singh (father of the complainant) as respondent. However, he is witness to the written compromise dated 28.01.2022 (Annexure P-2).

The petitioners filed this petition for the quashing of aforesaid FIR on the basis of compromise. The petitioners and respondent No.2 were directed to appear before the trial Court/Illaq Magistrate for recording their statements on the basis of compromise. The detailed report regarding compromise has been received from the the court of Judicial Magistrate Ist Class, Amritsar dated 15.06.2022. The statement of respondent No.2 Sarabjit Kaur has been recorded, where she confirmed the compromise with the petitioners. She confirmed that this compromise has been effected without any pressure, coercion from any side and she has no objection regarding quashing of FIR.

The petitioners-Gurjit Singh and Viro @ Vajir Kaur also confirmed this fact in their separate statement. The statement of ASI

Shushil Kumar is also recorded who further confirmed that the accused is neither involved in any other case nor has been declared as proclaimed offender.

Therefore, from the report of Judicial Magistrate Ist Class, Amritsar, it is clear that the compromise has been effected between the parties without any pressure, coercion or undue influence, which is acceptable to both the parties. They have mutually settled all their disputes. No purpose would be served with the continuation of criminal proceedings.

Therefore considering these facts the petition filed by the petitioners is accepted and FIR No.66 dated 30.08.2018, registered under Sections 406, 498-A IPC at Police Station Women Cell, District Amritsar Commissionerate and the consequential proceedings arising therefrom are quashed.

Accordingly, the present petition stands disposed of.

(AMARJOT BHATTI)
JUDGE

05.01.2023
Sunil Devi

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No