

**283 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH 2023:PHHC:158458**

**CRM-M-21007-2023 (O&M)
Date of Decision: 11.12.2023**

AMARPREET SINGH AND ANOTHER

.....PETITIONERS

Vs.

STATE OF PUNJAB AND ANOTHER

.....RESPONDENTS

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Anmol Singh Virk, Advocate,
for the petitioners.

Mr. Harpreet Singh, Addl. A.G., Punjab.

Mr. Mehtab Singh, Advocate, for
Mr. Tejinder Bir Singh, Advocate,
for respondent No. 2.

HARPREET KAUR JEEWAN J. (ORAL)

[1] The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.0096 dated 19.09.2022, registered at Police Station Sekhwan, District Batala, under Sections 498-A and 406 IPC on the basis of compromise dated 13.04.2023 (Annexure P-2) between the parties.

[2] It is contended on behalf of the petitioners that petitioner No. 1-Amarpreet Singh is the husband of respondent No. 2-Daljit Kaur. Petitioner No. 2-Narinder Singh is the father-in-law of respondent No. 2-Daljit Kaur. Now both the Petitioners and respondent No. 2 have amicably settled all their disputes in terms of the settlement agreement dated 13.04.2023 and they have decided that no further action may be taken in the present FIR. The parties are living together now.

[3] In view of order dated 20.09.2023 passed by the Co-ordinate Bench in the present case, the parties were directed to appear before the

trial Court/Illaq Magistrate for recording their statement regarding the compromise.

[4] Ms. Amandeep kaur Rathor, PCS Judicial Magistrate Ist Class, Chandigarh, has submitted her report dated 04.11.2023 along with the statement of the parties recorded by her and she has given the following report:-

“ (i) In the present FIR, there are only two accused in the FIR, which are the present petitioners in this petition.

(ii) As per the accused they have never been declared proclaimed offender in any case nor any such proceedings have been initiated against them. Their version is verified by the investigating officer.

iii) In the view of the statement of complainant qua compromise. I am of the considered view that the compromise effected between the parties appears to be without any threat or pressure from either side and is made out of free volition of the parties.

iv) As per investigating officer, accused are not involved in any other FIR

v) As per the investigating officer, there is only one victim/complainant as well as accused Amarpreet Singh and Narinder Singh are party to the present compromise.”

[5] Since the present FIR was registered by the respondent-wife and now she wants to settle all her matrimonial disputes with the petitioners as such continuing with the proceedings in the present FIR would not be in the interest of the parties. The parties want to live in peace and the compromise is genuine as such this Court is of the considered opinion that the present FIR should be quashed on the basis of compromise.

[6] Hon'ble the Full Bench of this Court in **Kulwinder Singh and others vs. State of Punjab and others** 2007 (3) RCR (Criminal) 1052, has held that the High Court has power under Section 482 Cr.P.C. to allow the compounding of non-compoundable offences and quash the proceeding

where the High Court is of the opinion that it is required to prevent the abuse of process of law or otherwise to secure the ends of justice.

[7] Since it was a matrimonial dispute between the parties, which stands resolved, the parties have decided to live together in peace, this Court feels that in order to secure the ends of justice, the criminal proceedings deserve to be quashed.

[8] Consequently, this petition is allowed and FIR No.0096 dated 19.09.2022 registered at Police Station Sekhwan, District Batala, under Sections 498-A and 406 IPC and all the subsequent proceedings emanating therefrom are ordered to be quashed, qua the petitioner.

[9] Pending miscellaneous application (s), if any, shall also stand disposed of.

December 11, 2023
nitin

(HARPREET KAUR JEEWAN)
JUDGE

Whether Speaking	Yes
Whether reportable	No