

245 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-21991-2023
DATE OF DECISION:-29.05.2023

Gurmeet Kaur and others

...Petitioners.

vs.

State of Punjab and another

...Respondents..

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Abhishek Khullar, Advocate for
Mr. J.S. Jaidka, Advocate,
for the petitioners.

Mr. Kunal Vinayak, AAG, Punjab.

Mr. Jasmeet Singh, Advocate for
Mr. Rahul Rana, Advocate,
for respondent No.2.

HARKESH MANUJA, J.

By way of present petition under Section 482 Cr.P.C., the petitioners pray for quashing of FIR No.87 dated 11.03.2023, under Sections 323, 341 IPC, registered at Police Station Rama Mandi, District Jalandhar (Annexure P-2) along with all consequential proceedings arising therefrom on the basis of compromise deed dated 18.04.2023 (Annexure P-1).

2. Present FIR is an offshoot of matrimonial dispute between petitioner No.2-husband and respondent No.2/complainant-wife, who have now agreed to live together.

3. In pursuance to order dated 02.05.2023 passed by this Court, whereby the parties were directed to appear before the trial court for getting

their statements recorded as regards the veracity of compromise arrived at between them, a report dated 19.05.2023 has been received from the concerned court, stating that the compromise appears to be genuine one having been arrived at by the parties with free will without any pressure or coercion. No accused has been declared as proclaimed offender.

4. Once, the compromise has been arrived at between the parties without any pressure and respondent No.2 having no objection as regards quashing of FIR as well as all other subsequent proceedings arising out of the same against the petitioners; there does not appear to be any impediment as regards quashing of present FIR qua the petitioners. Even otherwise, in order to maintain peace and harmony between the parties, particularly under the circumstances wherein the alleged offences have no societal interest involved, it would be appropriate to render complete quietus to the aforementioned dispute by quashing the FIR on the basis of compromise entered into between the parties.

5. The parties having settled their dispute so as to live in peace in future, no useful purpose would be served by proceeding further with the criminal proceedings. In the light of above developments, no cause remains for the trial Court to invest further time and effort in adjudicating this FIR. The compromise in question is even found to be fully in consonance with the direction issued by the Court in ***Kulwinder Singh & Ors. Vs. State of Punjab 2007(3) RCR (Criminal) 1052 and Gian Singh Vs. State of Punjab & Anr., 2012(4) RCR (Crl.) 543.***

6. Thus, in view of the aforesaid facts, accompanied by statements of both the parties as well as keeping in mind the law laid down in the aforementioned judgments, the FIR No.87 dated 11.03.2023, under Sections

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323, 341 IPC, registered at Police Station Rama Mandi, District Jalandhar (Annexure P-2) as well as all the subsequent proceedings arising therefrom are hereby quashed qua the petitioners.

7. Accordingly, petition stands allowed subject to payment of costs of Rs.10,000/- to be deposited with the High Court Legal Services Authority, Chandigarh, within a period of two weeks from today.

29.05.2023
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(HARKESH MANUJA)
JUDGE

whether speaking/reasoned: Yes/No
whether reportable: Yes/No