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

**CRM-M-23789-2022
DECIDED ON: 02.08.2023**

**SIMRANDEEP KAUR ALIAS
SIMARDEEP KAUR & ORS**

.....PETITIONERS

VERSUS

STATE OF PUNJAB AND ANOTHER

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Dinesh Mahajan, Advocate
for the petitioners.

Mr. JS Arora, DAG, Punjab.

Mr. Jagjeet Singh, Advocate for
Mr. Amit Arora, Advocate
for respondent No.2

JASGURPREET SINGH PURI, J (ORAL)

1. The present petition has been filed under Section 482 of the Cr.P.C. for quashing of the FIR No. 32 dated 02.03.2022 under Sections 323, 324, 326, 506, 149 of IPC registered at Police Station City Tarn Taran (Annexure P-1) on the basis of the compromise arrived at between the petitioners and respondent No.2 vide Annexure P-3.

2. Learned counsel for the petitioner has submitted that it is a case of a matrimonial dispute. He also submitted that respondent No.2, namely, Inderpal Singh, is husband of petitioner No.1, namely, Simrandeep Kaur alias Simardeep Kaur. The other petitioners are relatives of petitioner No.1. Out of the matrimonial dispute, the present FIR was lodged, but later on, the matter was compromised between the parties by way of an amicable settlement and rather a petition under Section 13-B of Hindu Marriage Act, 1955, has also been filed by petitioner No.1 and respondent No.2 for dissolution of marriage by way of mutual consent. He also submitted that now a decree of divorce has been passed on 21.02.2023.

Learned counsel for the petitioner further submitted that in pursuance of the order dated 06.01.2023 passed by this Court, they were directed to appear before the concerned Illaqa/Duty Magistrate for getting their statements recorded for the purpose of pertaining the authenticity, genuineness and voluntariness of the compromise. They have appeared before the learned Illaqa/Duty Magistrate and got their statements recorded to the effect that compromise was genuine. He further submitted that in view of the aforesaid facts and circumstances, the present case does not fall in the category of serious and heinous crime and the matrimonial dispute has already been settled by passing a decree of divorce as well. Therefore the present FIR may be quashed, on the basis of compromise.

3. On the other hand, learned State counsel has submitted that it is correct that it was a matrimonial dispute between the parties, but he is not aware of the fact as to whether the decree of divorce has been passed or not.

4. Learned counsel for respondent No.2 has also submitted that in pursuance of the compromise which has been effected between the parties, statements have been recorded before the Illaqa Magistrate and compromise has been effected between the parties and thereafter decree of divorce by way of mutual consent under Section 13-B of Hindu Marriage Act has already been passed.

5. I have heard learned counsel for the parties.

6. The present petition which has been filed under Section 482 of Cr.P.C. seeking quashing of the FIR No.32 on the basis of compromise. This Court vide order dated 06.01.2023 directed the parties to appear before the learned trial Court/Illaqa Magistrate for getting the statements recorded pertaining to the genuineness and authenticity of the compromise.

7. A report dated 18.05.2023 from the Chief Judicial Magistrate Tarn Taran has been received through the District & Sessions Judge, Tarn Taran in which, it has been stated that all the parties have suffered their statements voluntarily, with their free will, without any pressure, threat or coercion before the

Court to the effect that they have compromised their dispute with the intervention of respectable persons of locality, which seems to be genuine.

8. As per learned counsel for the petitioners, the decree of divorce between the petitioner No.1 and respondent No.2 has also been passed under Section 13-B of Hindu Marriage Act on 21.02.2023. The law with regard to the quashing of FIR on the basis of compromise, is well settled by Hon'ble Supreme Court in "**Gian Singh Vs. State of Punjab and another**", 2012(10) SCC 303, and the Full Bench of this Court in "**Kulwinder Singh and others Vs. State of Punjab and another**", 2007 (3) RCR (Criminal) 1052.

9. In view of the facts and circumstances of the present case, the dispute in the present case was initially a matrimonial dispute and due to this reason, the present FIR was lodged, which has since been resolved. The present case does not fall in the category of serious and heinous crimes. Therefore, this Court is of the considered view that it would be the interest of justice to quash the FIR on the basis of the compromise.

10. Consequently, the present petition is allowed.

11. The impugned FIR No.32, dated 02.03.2022 under Sections 323, 324, 326, 506, 149 of IPC registered at Police Station City Tarn Taran (Annexure P-1) and all consequential proceedings arising therefrom are hereby quashed, on the basis of compromise, *qua* the petitioners only.

(JASGURPREET SINGH PURI)
JUDGE

02.08.2023

neelam/kusum

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>