

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

Sr. No.241

**CRM-M-22712-2019 (O&M)
Date of decision : 14.12.2023**

Rajbir Singh

..... Petitioner

VERSUS

State of Punjab and another

..... Respondents

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Vinay Kumar, Advocate, for the petitioner.

Mr. G.S. Sandhu, DAG, Punjab

Mr. S.S. Taank, Advocate for
Mr. B.S. Randhawa, Advocate, for respondent No.2.

HARPREET KAUR JEEWAN, J. (Oral)

Prayer in the present petition filed under Section 482 of the Criminal Procedure Code, 1973 is for quashing of the FIR No.37 dated 16.05.2018, under Section 498-A IPC, registered at Police Station Ghuman, Police District Batala, District Gurdaspur (Annexure P-1), on the basis of compromise deed dated 20.04.2019 (Annexure P-2) executed between the parties.

2. Learned counsel for the petitioners has submitted that there was a matrimonial dispute between the parties due to which the present FIR was got registered against the petitioner at the instance of respondent No.2. Both the parties are not living together. However, with the intervention of the respectables and relatives, they have finally settled their matrimonial dispute and compromise deed dated 20.04.2019 (Annexure P-2) has been executed between the parties which has been duly signed by all the parties.

Respondent No.2 does not want to take any legal action against the

petitioner in the said FIR. As such, prayer is made to quash the said FIR alongwith all consequent proceedings.

3. On 06.10.2023, the parties were directed to appear before the trial Court/Illaq Magistrate for recording their statements regarding the compromise.

4. The report dated 18.10.2023 of the Judicial Magistrate, 1st Class, Batala through the District & Sessions Judge, Gurdaspur, has been received. As per said report, the compromise is genuine and without any pressure. There is no history of criminal cases against the parties. As per said report, the statement of the complainant, statement of the petitioner and statement of ASI-Gurmukh Singh have been recorded by the Magistrate. No accused has been declared as proclaimed offender.

5. The Hon'ble 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.

6. Since, it was a matrimonial dispute which has been settled between the parties and they want to peacefully part ways. As per the terms and conditions of the compromise, both the parties do not want to pursue any legal action against each other. Continuing with the proceedings in the present FIR would not be in the interest of the parties. As such, it is a fit case for quashing of the FIR in the interest of justice.

7. Consequently, the present petition is allowed and FIR No.37 dated 16.05.2018, under Section 498-A IPC, registered at Police Station

the subsequent proceedings emanating therefrom are ordered to be quashed qua the petitioner.

8. Pending miscellaneous application(s), if any, also stands disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

14.12.2023
Ramandeep Singh

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