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256 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-25020-2023

Date of Decision: 25.09.2023

MONIKA GUJRAL AND OTHERS

.....PETITIONERS

VERSUS

STATE OF PUNJAB AND ANOTHER

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr. Rajan Singh Dadwal, Advocate
for the petitioner.

Mr. Anup Singh, AAG, Punjab.

Mr. Suraj Kaundal, Advocate
for respondent No.2.

SUVIR SEHGAL, J (ORAL)

1. Instant petition has been filed under Section 482, Cr.P.C., seeking quashing of FIR No.181 dated 01.08.2018, registered for offences under Sections 420, 120-B, IPC, at Police Station Sadar Khanna, District Khanna, Annexure P-1, along with all consequential proceedings arising therefrom, on the basis of compromise dated 02.02.2023, Annexure P-2, arrived at between the parties.

2. Counsel for the petitioner submits that FIR, Annexure P-1, is an outcome of the matrimonial dispute, which has been amicably settled by way of compromise, Annexure P-2.

3. Counsel representing respondent No.2 submits that he does not have any objection in case the criminal proceedings are set aside.

4. Pursuant to order dated 18.05.2023 passed by this Court, report has been received from the Judicial Magistrate Ist Class, Khanna, relevant extract

“(1) As per the statement of ASI Avtar Singh No.114/Khanna, and record of the case, in the present case, only three persons have been arrayed as accused namely Monika Gujral, Davinder Singh Gujral and Rai Rani.

(2) As per statement of ASI Avtar Singh No.114/Khanna, and record of the case, accused persons namely Monika Gujral, Davinder Singh Gujral and Raj Rani have not been declared as proclaimed offenders in the present case.

(3) The case was at the initial stage when the accused persons have preferred petition before the Hon’ble High Court, Chandigarh, and now the case is pending at the stage of awaiting further orders of the Hon’ble High Court, Chandigarh.

(4) In the opinion of the undersigned, the parties have voluntarily, without any pressure or coercion or undue influence, and out of their free will and consent have entered into the compromise between themselves and have settled the matter amicably and the said compromise on the face of it seems to be voluntary, genuine and true.

(5) As per the statement of ASI Avtar Singh No.114/Khanna, and record of the case, in the present case, there is only one complainant/victim namely Rohit Kumar son of Jagdish Kumar.”

5. Heard counsel for the parties.

6. In view of the report given by the learned Magistrate, and the judgment of the Supreme Court in ***Gian Singh Versus State of Punjab and another, 2012(4) RCR (Criminal) 543*** and a Full Bench of this Court in

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1052, this Court is of the view that keeping the criminal proceedings alive would not serve any purpose and setting them aside would enable the parties to lead a harmonious and peaceful life.

7. Accordingly, the petition is allowed. FIR No.181 dated 01.08.2018, registered for offences under Sections 420, 120-B, IPC, at Police Station Sadar Khanna, District Khanna, Annexure P-1, along with all subsequent proceedings arising therefrom, are quashed qua the petitioners.

(SUVIR SEHGAL)
JUDGE

25.09.2023

Kusum

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