

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM-M-9346-2018

Date of decision : 29.05.2023

Amandeep Singh and Ors.

..... Petitioners

V/S

State of Punjab and Anr.

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. Vipul Sharma, Advocate
for the petitioners.

Mr. Vinay Kumar Gupta, AAG, Punjab.

Mr. Gitish Bhardwaj, Advocate for respondent No.2.

AMARJOT BHATTI J. (ORAL)

The petitioners-Amandeep Singh, Baljinder Singh and Jaswinder Kaur have filed the instant petition under Section 482 of Cr.P.C. for quashing of FIR No.0079 dated 19.07.2016, under Section 406, 498-A of IPC, registered at Police Station Sirhind, District Fatehgarh Sahib and all other subsequent proceedings on the basis of compromise between the parties dated 13.02.2018 (Annexure P-2).

As per the facts of the case, the complainant –Gurjinder Kaur filed a written complaint against her husband-Amandeep Singh and others alleging that her marriage was performed with Amandeep Singh on 07.04.2013. After two months of her marriage, her father who was working as a constable in Punjab

Police expired. After some time, her in-laws started troubling her for bringing less dowry. They did not show any sympathy on the death of her father. Her mother gave one lac rupees to save her married life. The matter also came before Panchayat but the accused persons abused her and her family members. She was physically and mentally harassed. Again the matter was compromised on 16.03.2016. The accused persons started raising demand of three lacs rupees for going abroad. Ultimately, she was turned out of the matrimonial home and she started living with her mother. All her dowry articles were retained by her husband and in-laws family. The matter was enquired and thereafter, the present FIR was registered.

The petitioners filed this petition for the quashing of aforesaid FIR on the basis of compromise. The petitioners and respondent No.2 were directed to appear before the trial Court/Illaq Magistrate for recording their statements on the basis of compromise. The detailed report regarding compromise has been received from the court of Chief Judicial Magistrate, Fatehgarh Sahib, dated 12.01.2023. The statement of respondent No.2 has been recorded, where she confirmed the compromise with the petitioners. She confirmed that this compromise has been effected without any pressure, coercion from any side and she has no objection regarding quashing of FIR.

The petitioners- Amandeep Singh, Baljinder Singh and Jaswinder Kaur have also confirmed this fact in their separate statement. The statement of Inspector Sarabjit Kaur is also recorded who further confirmed that the accused are neither involved in any other case nor have been declared as proclaimed offenders.

Therefore, from the report of Chief Judicial Magistrate, Fatehgarh Sahib, it is clear that the compromise has been effected between the parties without any pressure, coercion or undue influence, which is acceptable to both the parties. They have mutually settled all their matrimonial disputes. They have also filed joint petition under Section 13-B of Hindu Marriage Act in which decree of divorce has been granted on 04.10.2018. Now, they will be able to live independently in peace. No purpose would be served with the continuation of criminal proceedings.

Therefore considering these facts the petition filed by the petitioners is accepted and FIR No.0079 dated 19.07.2016, under Section 406, 498-A of IPC, registered at Police Station Sirhind, District Fatehgarh Sahib and the consequential proceedings arising therefrom are quashed.

Accordingly, the present petition stands accepted.

(AMARJOT BHATTI)
JUDGE

29.05.2023.
Sunil Devi

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