

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

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CRM-M-36350-2021

Date of decision : 13.04.2023

Baljinder Singh

..... Petitioner

V/S

State of Punjab and Anr.

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. Maninder Arora, Advocate
for the petitioner.

Mr. Mohinder Singh Joshi, Additional A.G. Punjab.

Mr. Vikas Kumar Gupta, Advocate for respondent No.2.

AMARJOT BHATTI J. (ORAL)

The petitioner- Maninder Arora has filed the instant petition under Section 482 of Cr.P.C. for quashing of FIR No.76 dated 31.08.2013, under Sections 406. 498-A of IPC, registered at Police Station Women Patiala, District Patiala and all other subsequent proceedings on the basis of compromise between the parties dated 25.03.2021 (Annexure P-4).

As per the facts of the case, the complainant –Jaswinder Kaur filed a written complaint against Baljinder Singh and others alleging that she got married with Baljinder Singh. Her parents had spent huge money at the time of her engagement and wedding ceremony. She was given dowry articles mentioned in the list. Soon after marriage she was taunted for bringing less dowry. She became

pregnant and on this her father-in-law, mother-in-law and her husband gave beating to her and gave some intoxicant substance. As a result, she started having health issues. Her parents had already spent Rs.20 lacs on marriage and thereafter, they started raising demand for a car. Her husband and in-laws came out to be greedy persons. She was turned out of the matrimonial home on 18.04.2013. Ultimately, she filed the complaint and the present FIR has been registered.

Learned State counsel has filed status report, which is taken on record.

As per the record challan in this FIR was presented against Gurdev Singh and Nirmala Devi. Copy of FIR is Annexure P-1. In the said case both the accused Gurdev Singh and Nirmala Devi were acquitted vide judgment dated 11.07.2018. Copy of judgment is Annexure P-3. The copy of compromise dated 25.03.2021 is Annexure P-4.

The petitioner- Baljinder Singh filed this petition for the quashing of aforesaid FIR on the basis of compromise. The petitioner 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 Judicial Magistrate 1st Class, Patiala dated 20.03.2023. The statement of respondent No.2 has been recorded, where she confirmed the compromise with the petitioner. 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 petitioner- Baljinder Singh also confirmed this fact in his separate statement. The statement of ASI Deepak Kumar is also recorded.

Alongwith the report the Magistrate has placed on record copy of judgment of

acquittal dated 11.07.2018 Ex.P1, compromise dated 25.03.2021 Ex. P-2 and copy of judgment and decree of divorce under Section 13-B of the Hindu Marriage Act, 1955 Ex.P-3.

Therefore, from the report of Judicial Magistrate 1st Class, Patiala 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 had also filed joint petition under Section 13-B of Hindu Marriage Act in which decree of divorce has been granted on 11.07.2018. Now, they will be able to live in peace and harmony. No purpose would be served with the continuation of criminal proceedings

Therefore considering these facts the petition filed by the petitioner is accepted and FIR No.76 dated 31.08.2013, under Sections 406. 498-A of IPC, registered at Police Station Women Patiala, District Patiala and the consequential proceedings arising therefrom are quashed.

Accordingly, the present petition stands accepted.

(AMARJOT BHATTI)
JUDGE

13.04.2023.
Sunil Devi

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