

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

**CRM-M-38611-2022**  
**Date of Decision: 15.12.2023**

**GURPREET SINGH AND ORS                      ... PETITIONERS**  
**VS.**  
**STATE OF PUNJAB AND ANOTHER    .. RESPONDENTS**

**CORAM: HON'BLE MR. JUSTICE VIVEK PURI**

Present :     Mr. Deepak Arora, Advocate  
                    for the petitioners.

Mr. Hittan Nehra, Additional Advocate General, Punjab.

Ms. Kamalpreet Kaur, Advocate for  
Mr. G.S.Rawat, Advocate  
for respondent No.2.

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**VIVEK PURI, J.(ORAL)**

1.                Petitioners are seeking to quash the FIR No.76 dated 08.06.2019 under Sections 498-A/406/342/323/34 IPC registered at Police Station City, Gurdaspur and all the consequential proceedings arising therefrom on the basis of compromise.
2.                On 11.04.2023, the parties were directed to get their statements recorded before the learned trial Court.
3.                In compliance of the order dated 11.04.2023, the statements of the parties have been recorded and the learned Judicial Magistrate 1<sup>st</sup> Class, Gurdaspur has sent the report and the relevant portion whereof is reproduced here-in-below:-

“It is further submitted that from the statement of parties, it appears that compromise is genuine and without any pressure, coercion and undue influence and it is not the result of any fraud or misrepresentation.

It is further submitted that accused persons Gurpreet Singh s/o Harkishan Singh, Harkishan Singh s/o Sh. Basant Singh and Jaswinder Kaur w/o Harkishan Singh are arrayed as accused in this case and there is no other accused in the present FIR and accused persons are not involved or declared

proclaimed offender in this FIR or any other criminal case. No other FIR accept this is pending against any of the accused. Further, it is submitted that there is only one complainant Heena and there is only one victim namely Heena and they are party to the compromise in question.”

4. Learned counsel for the petitioners contend that the marriage of petitioner No.1 was solemnized with respondent No.2 on 11.10.2016 and a son has been born from the wedlock. The matrimonial dispute has been amicably settled between the parties in the Mediation Centre, District Courts Gurdaspur and Annexure P-1 is the settlement/agreement. Petitioner No.1 and respondent No.2 have resumed cohabitation. Respondent No.2 alongwith minor son is happily residing with petitioner No.1 at place of posting at Sambha.

5. Learned counsel for respondent No.2 has not disputed the aforesaid factual aspect(s) and further stated that she has no objection if the FIR is quashed.

6. After hearing learned counsel for the parties and going through the record of the case, this Court is of the considered opinion that it is a fit case for exercising the inherent jurisdiction of this Court under Section 482 Cr.P.C., so as to secure the ends of justice because the parties have arrived at a settlement, out of the Court, by way of compromise. The compromise is without any pressure and a genuine one. In such a situation, continuation of the prosecution would result in sheer abuse of process of law.

7. The controversy in the instant case does not indicate that the same involves heinous or serious offences and furthermore, the matrimonial dispute has been sought to be amicably settled. Consequently, a deserving case is made out where the court should exercise the power to secure the ends of justice.

8. For the aforesaid view, this Court finds support from ***Kulwinder Singh and others Vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052***, approved by Hon'ble Apex Court in ***Gian Singh Vs. State of Punjab and others (2012) 10 SCC 303***.

above, coupled with the reasons aforementioned and to secure the ends of justice, FIR No.76 dated 08.06.2019 under Sections 498-A/406/342/323/34 IPC registered at Police Station City, Gurdaspur and all the consequential proceedings arising therefrom on the basis of compromise are ordered to be quashed, however, qua the petitioners only.

10. Resultantly, with the above-said observations made, the instant petition stands allowed.

**15.12.2023**  
smriti

**(VIVEK PURI)**  
**JUDGE**

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