

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CRM-M-38916-2019  
Date of Decision: 05.09.2023

RONAK SINGH ... PETITIONER  
VS.  
STATE OF PUNJAB AND ANOTHER .. RESPONDENTS

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. Lokesh Sharma, Advocate, for the petitioner.

Ms. Ruchika Sabherwal, DAG, Punjab.

Mr. Hitesh Ghai, Advocate  
for respondent No.2.

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

1. The petitioner is seeking to quash the FIR No.73 dated 12.03.2019, under Sections 406/498-A IPC registered at Police Station Women Cell, District Ludhiana and all the consequential proceedings arising therefrom on the basis of compromise.
2. On 10.04.2023, the parties were directed to get their statements recorded before the learned Illaqa/Duty Magistrate.
3. In compliance of the order dated 10.04.2023, the statements of the parties have been recorded and the learned Judicial Magistrate 1<sup>st</sup> Class, Ludhiana, has sent the report and the relevant portion whereof is reproduced here-in-below:-

*“ Hence, I am of the considered view that the compromise between the complainant and accused is valid, genuine, voluntary and without any coercion or undue influence. There is only one accused arrayed in the present case namely Raunak Singh. Also, Lachmi Kaur is the only complainant in*

*the present case. Now matter has been compromised."*

4. Learned counsel for the petitioner contends that the allegations were levelled against the petitioner and his parents but the FIR has been registered only against the petitioner. The marriage of the petitioner was solemnized with respondent No.2 on 09.11.2016 but no child has been born from the wedlock. The matrimonial dispute has been amicably settled between the parties. The marriage of the petitioner and respondent No.2 has been dissolved by a decree of divorce by mutual consent under Section 13-B of the Hindu Marriage Act in terms of the judgment and decree dated 30.04.2021 passed by the learned Family Court, Ludhiana. A sum of Rs.1,20,000/- has been paid to respondent No.2 on account of permanent alimony. Respondent No.2 has received all her articles of istri dhan and nothing else is due payable to her by the petitioner. No other case is pending between the parties.

5. Learned counsel for respondent No.2 has not disputed the aforesaid factual aspect(s) and further stated that he 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*.

9. Considering the peculiar facts and circumstances of the case noted above, coupled with the reasons aforementioned and to secure the ends of justice, FIR No.73 dated 12.03.2019, under Sections 406/498-A IPC registered at Police Station Women Cell, District Ludhiana and all the consequential proceedings arising therefrom on the basis of compromise are ordered to be quashed, however, qua the petitioner only.

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

05.09.2023  
smriti

(VIVEK PURI)  
JUDGE

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