

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

CRM-M-43673-2023 (O&M)

Date of Decision: 15.11.2023

YATIN VERMA

.....PETITIONER

Vs.

STATE OF PUNJAB AND ANOTHER

.....RESPONDENTS

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Prabhdeep Singh Binra, Advocate, for
Mr. Paras Talwar, Advocate,
for the petitioner.

Mr. G.S. Sandhu, Advocate,
for respondent No. 1-State.

Mr. Sidharth Sehgal, Advocate,
for respondent No. 2.

HARPREET KAUR JEEWAN J. (ORAL)

[1] By way of the instant petition, the petitioner has sought the quashing of the FIR bearing No.28 dated 06.02.2022 registered at Police Station Women, Police Commissionerate, Ludhiana, under Section 498-A IPC, while averring that the parties have arrived at an amicable settlement in respect of their dispute in the present case.

[2] It is contended on behalf of the petitioner that the FIR was an outcome of a matrimonial dispute arising out of misunderstanding which has now been amicably resolved and settled between the parties and an affidavit of the complainant (respondent No. 2) has also been executed (Annexure P-3) in this regard. It is alleged that the petitioner is the husband of respondent No. 2 and the marriage was solemnized on

30.04.2021. As per the compromise, the petitioner and respondent No. 2 have agreed to dissolve the marriage, as such, a joint petition under Section 13(B) of the Hindu Marriage Act, 1955 has been filed. The statement of the petitioner (Annexure P-4) and the statement of respondent No. 2 (Annexure P-3) have also been recorded in the said petition. The parties have further agreed that no action may be taken in the present FIR which was registered at the instance of respondent No. 2.

[3] In pursuance of the order dated 01.09.2023, the report from the Court of Prabhjot Bhatti, Judicial Magistrate Ist Class, Ludhiana, has been received, who has recorded the statement of the petitioner, respondent No. 2 and the investigating officer, ASI Satnam Singh. She has verified that the parties have arrived at a compromise without any undue influence or pressure. She has further verified that the FIR was registered only against the petitioner, Yatin Verma and none of the accused has been declared as Proclaimed Offender. It is also verified that as per the statement of the investigating officer, no other criminal case is pending against the petitioner. Copies of the statement of respondent No. 2 (Neha) and the statement of the petitioner (Yatin Verma) recorded by the Magistrate have also been appended along with the report.

[4] Hon'ble the Full Bench of this Court in **Kulwinder Singh and others vs. State of Punjab and others** 2007 (3) RCR (Criminal) 1052, has held that the High Court has power under Section 482 Cr.P.C. to allow the compounding of non-compoundable offences and quash the proceeding where the High Court is of the opinion that it is required to prevent the

abuse of process of law or otherwise to secure the ends of justice.

[5] Since the matter has been settled and the parties have decided to live in peace, this Court feels that in order to secure the ends of justice, the criminal proceedings deserve to be quashed.

[6] Consequently, this petition is allowed and FIR bearing No.28 dated 06.02.2022 registered at Police Station Women, Police Commissionerate, Ludhiana, under Section 498-A IPC and all the subsequent proceedings emanating therefrom are ordered to be quashed, qua the petitioner.

[7] Pending miscellaneous application (s), if any, shall also stand disposed of.

November 15, 2023
nitin

(HARPREET KAUR JEEWAN)
JUDGE

Whether Speaking	Yes
Whether reportable	No