

CRM-M-47089-2023(O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-47089-2023 (O&M)

Date of decision: October 13, 2023

Deep Singh @ Deep Jewelers

....Petitioner

versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA**Present:-** Mr. Naresh Chander, Advocate for petitioner.

Mr. Hakam Singh, AAG Punjab.

Mr. Kirpal Singh, Advocate for respondent No.2.

ARUN MONGA, J. (ORAL)**CRM-41429-2023**

Application herein is for preponing the main case.

Since the main case itself is fixed for today, therefore, instant application is rendered infructuous and is disposed of accordingly.

Main case (O&M)

Petition herein is under Section 482 of Code of Criminal Procedure, 1973 (for short 'Cr. P.C.') seeking quashing of FIR No.0083 dated 14.06.2020, under Sections 420, 406, 384, 506, 120-B of the Indian Penal Code, 1860 (for short 'IPC'), registered at the Dayalpura, Police Station in district Bathinda and all subsequent proceedings arising out of the said FIR *qua* the petitioner, on the basis of compromise/settlement dated 23.12.2022 (Annexure P-2) effected before the Mediation Centre of this Court.

2. Learned counsel for the petitioner submits that FIR in question was registered by respondent No.2-Amandeep Singh against his wife, namely, Kuldeep Kaur and petitioner, due to some matrimonial discord. He refers to compromise/ settlement dated 23.12.2022 (Annexure P-2) arrived at between respondent No.2 and his wife. He refers to paragraph-10 of the compromise *ibid* to state that respondent No.2 shall not object to quashing of FIR in question *qua* all the accused persons.

- 2.1. On a Court query, learned counsel for petitioner also submits that petitioner has never been declared as a proclaimed offender in this case or any other case and there is no legal impediment in quashing the FIR in question.
3. Learned counsel appearing on behalf of respondent No.2 also makes a statement that the compromise having been effected before Mediation and Conciliation Centre of this Court, he is under instructions to not press charges against the petitioner and also has no objection to the quashing of the FIR in question against any of the accused in the FIR *ibid*, including the petitioner herein. He also submits that dispute was private and civil in nature, which resulted in registration of FIR and even differences between the parties have amicably settled.
4. This Court in appropriate cases can exercise the power under Section 482 Cr.P.C. for quashing of criminal proceedings/FIR on the basis of compromise. A reference in this regard may be made to a decision dated 29.09.2021 of the Supreme Court in case titled **Ramgopal and anr. V. The State of Madhya Pradesh**¹ and a Full Bench decision of this Court in **Kulwinder Singh and others V. State of Punjab and others**².
5. Adverting back to the facts of the present case, it is apparent that compromise has been arrived at between the parties.
6. It would thus be an appropriate case for exercise of power under Section 482 Cr.P.C. and to bring to an end the criminal proceedings initiated in the light of the impugned FIR.
7. For the reasons recorded above, the present petition is allowed. FIR No.0083 dated 14.06.2020, under Sections 420, 406, 384, 506, 120-B of the IPC, registered at the Dayalpura, Police Station in Bathinda and all subsequent proceedings arising out of the said FIR, on the basis of compromise/ settlement dated 23.12.2022 (Annexure P-2) *qua* the petitioner, stand quashed.
8. Pending application(s), if any, shall also stand disposed of.

(ARUN MONGA)
JUDGE

October 13, 2023

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Whether speaking/reasoned:

Yes/No

¹Criminal Appeal No.1489 of 2012

²2007 (3) RCR (Criminal) 1052

Whether reportable: Yes/No