

**293 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH 2023:PHHC:159764**

**CRM-M-50019-2023 (O&M)
Date of Decision: 11.12.2023**

ABHINAV AGGARWAL

.....PETITIONER

Vs.

STATE OF PUNJAB AND ANOTHER

.....RESPONDENTS

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Rishabh Singla, Advocate, for the petitioner.

Mr. Harpreet Singh, Addl. A.G., Punjab.

Mr. Siddhanth Arora, Advocate,
for the complainant.

HARPREET KAUR JEEWAN J. (ORAL)

[1] The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No. 132 dated 18.11.2021, registered at Police Station Women Cell, District Jalandhar, under Sections 406 and 498-A of the IPC, on the basis of compromise dated 02.09.2023 (Annexure P-2) between the parties.

[2] It is contended on behalf of the petitioner that in compliance of the terms and conditions of the compromise dated 02.09.2023 (Annexure P-2), the parties have filed a petition under Section 13 (B) of the Hindu Marriage Act, 1955, before the Family Court, Jalandhar. Sh. Ravinder Singh Rana, PCS, Judicial Magistrate Ist Class, Jalandhar, has confirmed the fact that there was only one accused in the present FIR. No other person has been nominated by the police.

[3] On 04.10.2023, the parties were directed to appear before the trial Court/Illaq Magistrate for recording of their statements regarding the compromise.

[4] The report dated 21.10.2023 of the Judicial Magistrate, Ist Class, Jalandhar, through the District & Sessions Judge, Jalandhar, has been received. As per said report, the compromise between the parties is genuine. The relevant portion of the said report reads as under:-

“As per record the name of the complainant of the present case is Aamna Gupta and except her there is no other complainant in this FIR. The name of the accused person is Abhinav Aggarwal. Except him, there are no other person nominated by the police as accused. As per record, accused person is neither involved in any other case in Jalandhar nor declared proclaimed offender in any other criminal case in Jalandhar. At present, the case is pending for awaiting 'challan'.

Both parties have compromised the matter. There is no grudge remain between parties. The compromise is voluntarily, without any pressure or coercion. This Court is of the considered opinion that the compromise has been effected between the complainant and accused and same is voluntary, without any pressure or coercion and is genuine one.”

[5] 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.

[6] 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.

[7] Consequently, this petition is allowed and FIR No. 132 dated 18.11.2021, registered at Police Station Women Cell, District Jalandhar, under Sections 406 and 498-A of the IPC, on the basis of compromise dated 02.09.2023 (Annexure P-2) between the parties and all the subsequent proceedings emanating therefrom are ordered to be quashed, qua the petitioner.

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

December 11, 2023
nitin

(HARPREET KAUR JEEWAN)
JUDGE

Whether Speaking	Yes
Whether reportable	No