

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

209-2

CRM-M-52871-2022

Date of decision : 18.05.2023

Lakhwinder Singh and Ors.

..... Petitioners

V/S

State of Punjab and Anr.

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. Balraj Gujjar, Advocate
for the petitioners.

Mr. Kunwarbir Singh, Assistant A.G. Punjab.

Ms. Shweta Bawa, Advocate for
Mr. Vikas Saroha, Advocate for the complainant.

AMARJOT BHATTI J. (ORAL)

The petitioners-Lakhwinder Singh, Kuldeep Kaur and Gurpreet Singh have filed the instant petition under Section 482 of Cr.P.C. for quashing of FIR No. 01 dated 09.01.2021, registered under Sections 406, 498-A of IPC , at Police Station Women, SAS Nagar, Punjab and all other subsequent proceedings on the basis of compromise between the parties dated 31.07.2022 (Annexure P-2).

As per the facts of the case, the complainant –Bhupinder Kaur filed written complaint against her husband and in-laws family alleging that she got married with Lakhwinder Singh on 19.10.2012. She was married in the family about 9 years ago. On 28.06.2020, they returned home after paying obeisance at Singh Baba Sabha. She came to her room and her brother-in-law also came behind

her. He started misbehaving with her. On the alarm raised by her, her mother-in-law came inside and started giving beating to her. Her husband also reached there and started leveling allegations against her. The entire family started quarreling with her. She was ill-treated and taunted for bringing less dowry. She has given her son Udayveer Singh to her parents. In fact they wanted that she should give divorce to her husband so that he can be re-married. She was ill-treated by her brother-in-law earlier also and they forced her to take some intoxicant substance. They have snatched her gold ornaments. Ultimately, she filed the complaint and present FIR has been registered.

Learned State counsel has filed status report, which is taken on record.

The petitioners filed this petition for the quashing of aforesaid FIR on the basis of compromise. The petitioners and respondent No.2 were directed to appear before the trial Court/Illaq Magistrate for recording their statements on the basis of compromise. The detailed report regarding compromise has been received from the court of Judicial Magistrate 1st Class, SAS, Nagar (Mohali) dated 28.04.2023. The statement of respondent No.2 has been recorded, where she confirmed the compromise with the petitioners. She confirmed that this compromise has been effected without any pressure, coercion from any side and she has no objection regarding quashing of FIR.

The petitioners- Lakhwinder Singh, Kuldeep Kaur and Gurpreet Singh have also confirmed this fact in their separate statements. The statement of HC Harjit Singh is also recorded who further confirmed that the accused are neither involved in any other case nor have been declared as proclaimed offenders.

Therefore, from the report of Judicial Magistrate 1st Class, SAS, Nagar (Mohali), it is clear that the compromise has been effected between the parties

without any pressure, coercion or undue influence, which is acceptable to both the parties. They have mutually settled all the disputes and started living together. They will be able to live in peace and harmony. It will end the litigation started between them. No purpose would be served with the continuation of criminal proceedings.

Therefore considering these facts the petition filed by the petitioners is accepted and FIR No. 01 dated 09.01.2021, registered under Sections 406, 498-A of IPC, at Police Station Women, SAS Nagar, Punjab and the consequential proceedings arising therefrom are quashed.

Accordingly, the present petition stands accepted.

(AMARJOT BHATTI)
JUDGE

18.05.2023.
Sunil Devi

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