

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

265

CRM-M-53481-2022

Date of decision : 24.05.2023.

Balwinder Lal and Ors.

..... Petitioners

V/S

State of Punjab and Anr.

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. Umesh Kumar Kanwar, Advocate
for the petitioners.

Mr. Vinay Kumar Gupta, AAG, Punjab.

Mr. Rajan Singh Dadwal, Advocate for respondent No.2.

AMARJOT BHATTI J. (ORAL)

The petitioners-Balwinder Lal, Resham Lal and Simro have filed the instant petition under Section 482 of Cr.P.C. for quashing of FIR No.0117 dated 04.09.2019, under Sections 323, 406, 498-A, of IPC, registered at Police Station Jalandhar Rural, District Jalandhar Rural and all other subsequent proceedings on the basis of compromise between the parties dated 20.12.2021 (Annexure P-2).

As per the facts of the case, the complainant –Prabhjot Kaur gave her statement to the police that her marriage was solemnized with Balwinder Lal about 17 months ago. Her father had given gold ornaments to her husband and in-laws family. Apart from this, she was given furniture, electrical goods, utensils as her

Istridhan. Soon after marriage, she was harassed by her husband and in-laws on

account of their demand for money. She tried to adjust in the matrimonial home. At the instance of her husband-Balwinder Lal, she took Rs.10,000/- from Yogi Baba Pargat Nath Ji Rehampur. Her husband started asking for more money and she could not fulfill his demands. On 09.08.2019, her mother was sick and she wanted to go to her parental house. Ultimately, her mother-in-law agreed to accompany her but she was beaten up by her father-in-law. Her husband was also called from the shop and he also gave beating to her. She informed her parents about the incident. She was also taken to Civil Hospital Nakodar. The respectables tried to settle the matter, but it did not succeed. With these allegations, the present FIR has been registered.

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, Jalandhar dated 21.04.2023. 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- Balwinder Lal, Resham Lal and Simro have also confirmed this fact in their separate statements. The statement of SI Raghuvir Singh (Retd.) 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, Jalandhar 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 their matrimonial disputes. They have also filed joint petition under Section 13-B of Hindu Marriage Act in which decree of divorce has been granted on 09.08.2022 (Annexure P-3). Now, they will be able to live independently in peace. 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.0117 dated 04.09.2019, under Sections 323, 406, 498-A, of IPC, registered at Police Station Jalandhar Rural, District Jalandhar Rural and the consequential proceedings arising therefrom are quashed.

Accordingly, the present petition stands accepted.

(AMARJOT BHATTI)
JUDGE

24.05.2023.
Sunil Devi

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