

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

269

CRM-M-53837-2022

Date of decision : 17.05.2023

BALWINDER SINGH AND ORS.

..... Petitioners

V/S

STATE OF PUNJAB AND ANOTHER

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. A.K. Spehia, Advocate
for the petitioners.

Mr. M.S.Joshi, Addl. A.G. Punjab.

Mr. S.K.Arya, Advocate for respondent No.2.

AMARJOT BHATTI J. (ORAL)

The petitioners-Balwinder Singh, Sarabjit Singh and Dhan Kaur have filed the instant petition under Section 482 of Cr.P.C. for quashing of FIR No.0151 dated 04.09.2021 under Sections 498-A, 323 and 34 of IPC, registered at Police Station Nakodar Sadar, District Jalandhar Rural and all other subsequent proceedings on the basis of compromise between the parties dated 05.11.2022 (Annexure P-2).

As per the facts of the case, the complainant –Paramjit Kaur gave her statement that she got married with Balwinder Singh on 26.03.2014. Her parents had given dowry as per their status. They had given gold articles to the boy and his family. She was living comfortably in the matrimonial home. Thereafter, she

got pregnant. She gave birth to a son who expired. Thereafter, her husband started ill-treating her. She was abused by her mother-in-law and brother-in-law. She was told to live separately by constructing separate residence and for this she was told to get money from her father. Thereafter, her husband again asked her to get money for purchasing four wheeler "*Chhota Hath*". She did not tell about this fact to her father. On 02.09.2021, her husband and in-laws family started abusing her on account of their aforesaid demand. They gave her beating. She was also taken to Civil Hospital Kapurthala. Thereafter, she returned back to her parental home. With these allegations, the 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 Sub Divisional Judicial Magistrate, Nakodar dated 13.12.2022. 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 statement of Amba (special power of attorney holder of petitioner-Balwinder Singh,) is also recorded who has also confirmed the compromise.

The petitioners- Sarabjit Singh and Dhan Kaur have also confirmed this fact in their separate statement. The statement of ASI Chaman Lal 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 Sub Divisional Judicial Magistrate, Nakodar, 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.0151 dated 04.09.2021 under Sections 498-A, 323 and 34 of IPC, registered at Police Station Nakodar Sadar, District Jalandhar Rural and the consequential proceedings arising therefrom are quashed.

Accordingly, the present petition stands accepted.

(AMARJOT BHATTI)
JUDGE

17.05.2023.
Sunil Devi

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