

CRM-M-56538-2022

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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

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CRM-M-56538-2022

Date of decision : 18.05.2023

Khushwant Kaur & Ors.

..... Petitioners

Versus

State of Punjab and Anr.

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. G.S. Virk, Advocate
for the petitioners.

Mr. Vinay Kumar Gupta, AAG, Punjab.

Mr. Tarun Kumar, Advocate
for respondent No. 2.

AMARJOT BHATTI J. (ORAL)

The petitioners – Khushwant Kaur, Naginder Singh and Gurwinder Singh (through his Power of Attorney Holder Khushwant Kaur – petitioner No. 1) have filed the instant petition under Section 482 of Cr.P.C. for quashing of FIR No. 87 dated 27.04.2022 (Annexure P-1), registered under Sections 354, 406 and 498-A of I.P.C. at Police Station Women, Ludhiana alongwith all subsequent proceedings arising thereof, on the basis of compromise (Annexure P-2) dated 14.11.2022 arrived at between the parties.

The facts of the case are that Satwinderjeet Kaur – complainant gave written complaint against Naginder Singh (father-in-law), Khushwant Kaur (mother-in-law), Gurwinder Singh (brother-in-law), Mandeep Kaur (wife of Gurwinder Singh) and Surinder Kaur, alleged that her marriage took place with

Gurpinder Singh on 26.01.2016. Her father had spent Rs. 6 lacs on her marriage and she was given dowry articles which were her isticidhan. She was maltreated in the matrimonial home as they were not satisfied with the dowry articles. They were expecting a car in the dowry. She was treated like a maid in the house. After two months of marriage, her husband Gurpinder Singh went to foreign country. He used to send her money. The other family members were unhappy and they forced her to transfer Rs. 60,000/- which were sent by her husband. They used to quarrel with her husband. Her husband had also purchased land from his savings in the year 2018. Her husband returned India in February 2020. Her husband expired suddenly on 06.08.2020 in Apollo Hospital, Ludhiana. Thereafter, her in-laws family started harassing her all the more. The accused No. 3 was keeping bad eye on her. Ultimately, she filed this complaint, on the basis of which present FIR has been registered.

The petitioners have filed this petition for the quashing of aforesaid FIR on the basis of compromise dated 14.11.2022, Annexure P-2. The petitioners and respondent No.2 were directed to appear before the Illaqa/ Duty Magistrate for recording their statements on the basis of compromise. The detailed report regarding compromise has been received from the Court of Judicial Magistrate Ist Class, Ludhiana dated 10.05.2023. The statement of respondent No. 2 – Satwinderjeet Kaur alias Satwinder Kaur has been recorded, where she confirmed the compromise with the petitioners. She confirmed that this compromise has taken place without any pressure or undue influence with the intervention of respectables. She further submits that she has no objection regarding quashing of FIR.

The petitioner – Khushwant Kaur on her behalf and on behalf of petitioner - Gurwinder Singh being his Power of Attorney Holder and petitioner – Naginder Singh also confirmed this fact in their joint statement. The statement of ASI Harjinder Singh, No. 1060/Ldh, Police Station Women, Ludhiana is also recorded who further confirmed that the accused persons are neither involved in any other criminal case nor declared proclaimed offender(s) in any other criminal case.

Therefore, from the report of Judicial Magistrate Ist Class, Ludhiana, 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. The husband of respondent No. 2 has already expired and she is living with her in-laws. They have mutually settled all their disputes. They will be able to live in peace and harmony. No purpose would be served with the continuation of criminal proceedings.

Therefore, considering these facts, the petition filed by the petitioners – Khushwant Kaur, Naginder Singh and Gurwinder Singh is accepted and FIR No.87 dated 27.04.2022, registered under Sections 354, 406 and 498-A of I.P.C. at Police Station Women, Ludhiana and all the subsequent proceedings arising therefrom are quashed.

Accordingly, the present petition stands accepted.

18.05.2023

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(AMARJOT BHATTI)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No