

**Sr.No.263**

2023:PHHC:161932

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

**CRM-M-60035-2022(O&M)**

**Date of decision:13.12.2023**

**Jagdeep Singh**

**.....Petitioner**

**Versus**

**State of Punjab and another**

**.....Respondents**

**CORAM: Hon'ble Ms. Justice Harpreet Kaur Jeewan**

Present: Mr. Deep Singh, Advocate  
for the petitioner.

Mr. Harpreet Singh, DAG, Punjab.

**Harpreet Kaur Jeewan, J.(Oral)**

[1] The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.52 dated 09.09.2022 registered at Police Station Women Bathinda, under Sections 406, 498-A, 506 IPC on the basis of compromise dated 06.12.2022 (Annexure P-2) between the parties.

[2] Learned counsel for the petitioner contends that the marriage of the petitioner was solemnized with respondent No.2 on 30.03.2017 and a son has been born from the wedlock. Due to matrimonial dispute, the parties started living separately since 16.06.2022 and the present FIR was registered at the instance of respondent No.2. The matrimonial dispute has been amicably settled between the parties in terms of the compromise dated 06.12.2022 (Annexure P-2). The petitioner and respondent No.2 have resumed cohabitation. Respondent No.2 alongwith minor son is happily residing in the matrimonial house with the petitioner and no other case is pending between the parties. They have decided that no further action may be taken in the present FIR.

[3] In view of order dated 25.07.2023 passed by the Co-ordinate Bench in the present case, the parties were directed to appear before the trial Court/Illaq Magistrate for recording their statement regarding the compromise.

[4] Ms. Navneet Kaur, Judicial Magistrate Ist Class, Bathinda has submitted her report dated 21.09.2023 along with the statement of the parties recorded and the following report has been submitted:-

*“Statement of ASI Resham Singh was also recorded to the effect that he is investigating officer of FIR No.52 dated 09.09.2022 under Sections 498-A, 406 and 506 of IPC, PS Women Cell, Bathinda. As per record, there is one accused namely Jagdeep Singh in the present case. No accused has been declared as proclaimed offender. As per record there is one victim/complainant namely Jashanpreet Kaur wife of Jagdeep Singh in the present FIR. Challan in the present case has already been presented on 10.05.2023*

*In view of statements given by the parties and ASI Resham Singh following report is hereby submitted as desired by your’s goodself:-”*

- 1. It is respectfully submitted that there is one accused namely Jagdeep Singh arrayed as accused in the present FIR.*
- 2. As per record no accused has been declared as proclaimed offender.*
- 3. It is further submitted that in view of statements given by the parties, this Court is of the considered opinion that compromise effected between parties is genuine and it is effected voluntarily, without any pressure, coercion with their free will from any quarter.”*

[5] Since the present FIR was registered by the respondent-wife and now she wants to settle all her matrimonial disputes with the petitioners as such continuing with the proceedings in the present FIR would not be in the interest of the parties. The parties want to live in peace and the compromise is genuine as such this Court is of the considered opinion that the present FIR should be quashed on the basis of compromise.

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 it was a matrimonial dispute between the parties, which stands resolved. The parties have decided to live together 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.52 dated 09.09.2022 registered at Police Station Women Bathinda, under Sections 406, 498-A, 506 IPC and all the subsequent proceedings emanating therefrom are ordered to be quashed, qua the petitioner.

**13<sup>th</sup> December, 2023**

Shivani Kaushik

**[HARPREET KAUR JEEWAN]  
JUDGE**

Whether speaking/reasoned  
Whether Reportable

Yes/No  
Yes/No