

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

317

CRM-M-59075-2022

Date of decision : 27.04.2023

Gurwinder Singh and Others

..... Petitioners

V/S

State of Punjab and Anr.

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. Harpal Singh Sidhu, Advocate
for the petitioners.

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

Mr. A.S.Khosa, Advocate for respondent No.2.

AMARJOT BHATTI J. (ORAL)

The petitioners- Gurwinder Singh, Kashmir Singh and Kuldeep Kaur have filed the instant petition under Section 482 of Cr.P.C. for quashing of FIR No.202 dated 16.10.2020, under Sections 354-A and 498-A of IPC, registered at Police Station Dharamkot, District Moga and all other subsequent proceedings on the basis of compromise between the parties dated 12.07.2022 (Annexure P-2).

As per the facts of the case, the complainant –Manpreet Kaur gave her statement that she got married with Gurwinder Singh about 7 years ago. She was being harassed by her husband and father-in-law Kashmir Singh, who used to beat her. She is mother of two sons. Her husband is working as a bus conductor.

In the absence of her husband, her father-in-law used to impose himself on her and

when she resisted, he gave her beating. There was no change in their behaviour despite Panchayati settlement. Her husband wants to marry some other girl after taking divorce from her. On 25.04.2020 she was left in her parental house. Ultimately, the matter was reported to the police and 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/Illaqa 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, Moga dated 28.02.2023. 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- Gurwinder Singh, Kashmir Singh and Kuldeep Kaur have also confirmed this fact in their separate statement. The statement of Inspector Kulwinder Kaur 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 First Class, Moga, 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 all 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.202 dated 16.10.2020, under Sections 354-A and 498-A of IPC, registered at Police Station Dharamkot, District Moga and the consequential proceedings arising therefrom are quashed.

Accordingly, the present petition stands accepted.

(AMARJOT BHATTI)
JUDGE

27.04.2023.
Sunil Devi

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