

Sr. No.277(02)

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

CRM-M-345-2023
Date of decision: 21st March, 2024

RICHA AND OTHERS**Petitioners**

versus

STATE OF PUNJAB AND ANOTHER**Respondents**

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Vijay Lath, Advocate
for the petitioners.

Mr. Davinder Bir Singh, Sr. DAG, Punjab.

Mr. Lovish Rattan, Advocate for
Mr. Surinder Sharma, Advocate
for respondent No.2.

HARPREET KAUR JEEWAN, J. (ORAL)

[1] The present petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.248 dated 18.10.2017, under Sections 306, 511, 506, 120-B IPC, 1860, registered at Police Station Dera Bassi, District SAS Nagar, Mohali (Annexure P-1), on the basis of compromise dated 26.11.2022 (Annexure P-3) arrived at between the parties.

[2] Learned counsel for the petitioners contends that the FIR was registered at the instance of respondent No.2-husband on account of a matrimonial dispute. However, the matter has now been amicably settled and the parties have executed compromise deed dated 26.11.2022 (Annexure P-3). The parties are happily living together as husband and wife for the past more than 02 years. Respondent No.2-husband does not want to pursue the FIR and he has no

objection if the FIR is quashed.

[3] Learned counsel appearing on behalf of respondent No.2 has confirmed the factum of compromise between the parties.

[4] On 06.01.2023, the parties were directed to appear before the trial Court/Illaq Magistrate for recording of their statements regarding the compromise.

[5] As per the report dated 20.02.2023, received from the Sub-Divisional Judicial Magistrate, Dera Bassi, through the District & Sessions Judge, S.A.S. Nagar, compromise effected between the parties is genuine, voluntary and without any coercion or undue influence. The petitioners have not been declared as "Proclaimed Offender" and they are not involved in any other criminal case.

[6] Learned State counsel has not raised any objection regarding the acceptance of the present petition.

[7] Keeping in view the facts and circumstances of the case and the fact that the compromise between the parties is genuine and voluntarily made and in view of the ratio of the decision of Hon'ble Apex Court in **Gian Singh Versus State of Punjab (SC) 2012 (4) RCR (Criminal) 543** and the decision of Hon'ble the Full Bench of this Court in **Kulwinder Singh and others vs. State of Punjab and others 2007 (3) RCR (Criminal) 1052**, the ends of justice would meet if the FIR and consequential proceedings are quashed by accepting the compromise between the parties.

[8] Consequently, this petition is allowed and FIR No.248 dated 18.10.2017, under Sections 306, 511, 506, 120-B IPC, 1860, registered at Police Station Dera Bassi, District SAS Nagar, Mohali (Annexure P-1) and all the

subsequent proceedings emanating therefrom are ordered to be quashed, qua the petitioners.

[9] However, the respondent No.2-husband and the State shall be at liberty to seek cancellation of this order, in case the final terms and conditions of compromise dated 26.11.2022 (Annexure P-3) are violated.

[10] Pending miscellaneous application(s), if any, shall also stand disposed of.

(HARPREET KAUR JEEWAN)

JUDGE

21st March, 2024

sim

Whether speaking/reasoned

:

Yes/No

Whether reportable

:

Yes/No