

2024:PHHC:032091

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-1325-2022 (O&M)
Date of Decision:-5.3.2024

Beenu Garg and others ... Petitioners

Versus

State of Punjab and others ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Mohit Kakkar, Advocate for the petitioners.

Mr. Vishavjeet Singh Virk, DAG, Punjab.

Mr. J.S. Toor, Addl.P.P., U.T., Chandigarh.

Mr. Bhupinder Ghai, Advocate for respondent No.3.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioners seek quashing of FIR No.64, dated 30.3.2012 registered at Police Station City Sangrur, Punjab, under Sections 323, 325 of Indian Penal Code, wherein offences under Sections 452, 506, 34 and 201 IPC were added later on, and all subsequent proceedings emanating therefrom on the basis of a compromise stated to have been effected between the parties.
2. The matter arises out of a dispute between husband i.e. Vikas Garg @ Jaggi and his wife i.e. Beenu Garg. Beenu Garg lodged FIR i.e. FIR No.03, dated 3.1.2012 at Police Station City Sangrur, under Section 307 of Indian Penal

Code, wherein Vikas Garg @ Jaggi stands convicted vide order or sentence dated 15.12.2018 pursuant to judgment dated 10.12.2018 passed by learned Additional Sessions Judge, Chandigarh and has been sentenced as under:

Name of the Convict	Offence Under Section	Imprisonment	Fine	In default of payment of fine
Vikas Garg	307 IPC	RI for 10 years	Rs.50,000/-	RI for one year

3. The husband i.e. Vikas Garg @ Jaggi had also lodged FIR against Beenu Garg and other members of her family i.e. FIR No.64, dated 30.3.2012 at Police Station City Sangrur, Punjab, under Sections 323, 325 of Indian Penal Code, wherein offences under Sections 452, 506, 34 and 201 of Indian Penal Code were added later on.
4. Subsequently, the matter was amicably resolved amongst the parties. Pursuant to the compromise/settlement arrived at between the parties, marriage between Vikas Garg @ Jaggi and Beenu Garg already stands dissolved by way of a decree of divorce by mutual consent.
5. While Vikas Garg @ Jaggi challenged his conviction by way of filing criminal appeal before this Court i.e. CRA-S-71-2019, Beenu Garg and others filed the present petition i.e. CRM-M-1325-2022 seeking quashing of FIR No.64, dated 30.3.2012 on the basis of compromise.
6. Vide order dated 1.2.2022, the parties had been directed to appear before the Illaqa Magistrate/Trial Court so as to get their statements recorded qua the factum of compromise.
7. Report of learned Judicial Magistrate 1st Class, Chandigarh has been received, wherein it has been reported that joint statement of

petitioners/accused Beenu Garg, Sunita Devi, Manish Kumar and also of respondent No.3 namely Vikas Garg have been recorded to the effect that they have compromised the matter amongst themselves.

8. Respondent No.3 namely Vikas Garg in his statement has stated that he has no objection in case the FIR in question is quashed.
9. Learned Judicial Magistrate 1st Class, Chandigarh has specifically opined that the parties have entered into compromise voluntarily and without any undue influence.
10. In view of the aforesaid compromise and bearing in mind the law laid down by Full Bench of this Court in 2007(3) RCR (Crl.) 1052 Kulwinder Singh and others Vs. State of Punjab, the present petition is allowed and FIR No.64, dated 30.3.2012 registered at Police Station City Sangrur, Punjab, under Sections 323, 325 of Indian Penal Code, wherein offences under Sections 452, 506, 34 and 201 IPC were added later on and all subsequent proceedings emanating therefrom are hereby quashed qua petitioners.

5.3.2024
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(Gurvinder Singh Gill)
Judge

Whether reasoned/speaking

Yes / No

Whether reportable

Yes / No