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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-1480-2024 (O&M)

Date of Decision: 19.03.2024

VISAKHA SINGH @ RINKU AND ANOTHER

.....PETITIONERS

Vs.

STATE OF PUNJAB AND ANOTHER

.....RESPONDENTS

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Gursimran Walia, Advocate,
for the petitioners.

Mr. Davinder Bir Singh, Sr. D.A.G., Punjab.

Mr. Lovejeet Poonia, Advocate,
for respondent No. 2.

HARPREET KAUR JEEWAN J. (ORAL)

[1] The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.111 dated 16.07.2022 registered at Police Station Women Cell, District Ludhiana under Sections 406 and 498-A IPC, on the basis of a compromise deed dated 12.12.2023 (Annexures P-3) between the parties.

[2] Counsel for the petitioners *inter alia* contends that the FIR was registered at the instance of respondent No. 2-complainant who is the wife of present petitioner No. 1. A compromise dated 12.12.2023 (Annexures P-3) has been executed between the parties. They have decided to live separately. A joint petition under Section 13-B of the Hindu Marriage Act, 1955, has also been filed before the learned Family Court, Ludhiana, in which first motion statements have already been recorded. As per the terms of the

compromise, petitioner No. 1 will pay a total sum of ₹2,25,000/- to respondent No. 2-complainant. Out of the said amount, ₹1,25,000/- has already been paid to respondent No. 1 (₹25,000/- has already been paid and ₹1,00,000/- has been paid at the time of recording of statement of first motion). The remaining amount of ₹1,00,000/- will be paid at the time of recording of the second motion statements.

[3] Learned counsel appearing on behalf of respondent No. 2 has confirmed the factum of compromise between the parties. He submits that respondent No.2-complainant has no objection if the present FIR against the present petitioners is quashed by this Court.

[4] On 06.02.2024, 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 12.03.2024, received from the Judicial Magistrate, Ist Class, Ludhiana, through the District & Sessions Judge, Ludhiana, a compromise effected between the parties is genuine, voluntary and without any coercion or undue influence. The petitioner has not been declared as “Proclaimed Offender” and he is 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.111 dated 16.07.2022 registered at Police Station Women Cell, District Ludhiana under Sections 406 and 498-A IPC and all the subsequent proceedings emanating therefrom are ordered to be quashed, qua the petitioners.

[09] However, the respondent No.2-Jatinder Kaur and the State shall be at liberty to seek cancellation of this order, in case the final terms and conditions of compromise dated 12.12.2023 (Annexures P-3) are violated.

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

March 19, 2024

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(HARPREET KAUR JEEWAN)
JUDGE

Whether Speaking	Yes/No
Whether reportable	Yes/No