

285 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-1093-2023 (O&M)
Date of Decision: 19.03.2024

VISHAL KHANNA AND OTHERS

... PETITIONERS

V/S

STATE OF PUNJAB AND ANOTHER

... RESPONDENTS

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Amit Khatkar, Advocate for the petitioners.

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

Mr. Sukhtej S. Sandhu, Advocate for respondent No.2.

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HARPREET KAUR JEEWAN, J. (ORAL)

[1] The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.0062 dated 13.12.2020 under Sections 406, 498-A of the Indian Penal Code, 1860, registered at Police Station Women, Police Commissionerate, Ludhiana, District Ludhiana, and all other proceedings arising therefrom on the basis of the compromise dated 10.03.2022 (Annexure P-2).

[2] Learned counsel for the petitioners contends that the FIR was registered at the instance of respondent No.2 on account of a matrimonial dispute between petitioner No.1 and respondent No.2. The said dispute has now been amicably settled between the parties in the Mediation and Conciliation Center of this Court. The parties have mutually agreed to part ways by getting a decree of divorce under Section 13-B of the Hindu Marriage Act.

[3] Learned counsel appearing on behalf of respondent No. 2 has

confirmed the factum of compromise between the parties.

[4] On 10.01.2023, 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 of learned Judicial Magistrate First Class, Ludhiana dated 10.03.2023, the 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, 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.0062 dated 13.12.2020 under Sections 406, 498-A of the Indian Penal Code, 1860, registered at Police Station Women, Police Commissionerate, Ludhiana, District Ludhiana, and all the subsequent proceedings emanating therefrom are ordered to be quashed, qua the petitioners.

[9] However, respondent No.2-Priyanka Arora and the State shall be at liberty to seek cancellation of this order, in case the final terms and

conditions of Settlement Agreement dated 10.03.2022 are violated.

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

19.03.2024

(HARPREET KAUR JEEWAN)
JUDGE

Janki

Whether speaking/reasoned : Yes/No ;
Whether reportable : Yes/No