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

CRM-M-3749-2024 (O&M)
Date of Decision: 26.04.2024

NISHAN SINGH AND ANOTHER

... PETITIONERS

V/S

STATE OF PUNJAB AND ANOTHER

... RESPONDENTS

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Ms. Bhupinder K. Bhangu, Advocate, for the petitioners.

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

Ms. Vaishali Kamboj, 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.0239 dated 29.09.2023, registered at Police Station Kotwali District Kapurthala, under Sections 406 and 498-A of the IPC, on the basis of compromise deed dated 22.12.2023 (Annexure P-2) executed between the parties.

[2] Learned counsel for the petitioners *inter alia* contends that the FIR was registered against the petitioners who are the father-in-law and the mother-in-law of respondent No. 2-complainant. The husband of the complainant died on 27.09.2022. The FIR was registered against the old parents of the deceased husband. However, the parties have effected a compromise and respondent No.2 does not want to take any action in the present FIR.

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

[4] On 25.01.2024, the parties were directed to appear before the trial Court/Illaqa Magistrate for recording of their statements regarding the compromise.

[5] As per the report dated 19.04.2024, received from the learned Judicial Magistrate First Class, Kapurthala 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". Respondent No.2 has also made a statement to the effect that she has received the entire amount as per the compromise and she has no objection if the FIR in question is quashed against the petitioners.

[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. 0239 dated 29.09.2023, registered at Police Station Kotwali District Kapurthala, under Sections 406 and 498-A of the IPC and all the subsequent proceedings

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

[9] However, respondent No.2 and the State shall be at liberty to seek cancellation of this order, in case the final terms and conditions of compromise dated 22.12.2023 are violated.

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

26.04.2024

Janki

(HARPREET KAUR JEEWAN)
JUDGE

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