

Sr. No.297

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

CRM-M-4433-2024
Date of decision: 01st April, 2024

YOGENDER VERMA AND OTHERS**Petitioners**

versus

STATE OF PUNJAB AND ANOTHER**Respondents**

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Ashok Kumar Khunger, Advocate
for the petitioners.

Mr. Ramandeep Singh, Sr. DAG, Punjab.

Mr. Rhythem Bajaj, 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.173 dated 16.12.2019, under Sections 498-A, 406 IPC, 1860, registered at Police Station Khuian Sarwar, District Fazilka (Annexure P-1), on the basis of compromise deed dated 15.01.2024 (Annexure P-2) arrived at between the parties.

[2] Learned counsel for the petitioner contends that the FIR was registered at the instance of respondent No.2-wife on account of a matrimonial dispute. However, with the intervention of the respectables, the matter has now been amicably settled and the parties have executed compromise deed dated 15.01.2024 (Annexure P-2). The parties have decided to part ways and file a joint divorce petition under Section 13-B of the Hindu Marriage Act, 1955.

Respondent No.2-wife does not want to pursue the FIR and she 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 30.01.2024, 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 18.03.2024, received from the Judicial Magistrate, Ist Class, Abohar, through the District & Sessions Judge, Fazilka, 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.173 dated 16.12.2019, under Sections 498-A, 406 IPC, 1860, registered at Police Station

Khuian Sarwar, District Fazilka (Annexure P-1) and all the subsequent proceedings emanating therefrom are ordered to be quashed, qua the petitioners.

[9] However, the respondent No.2-wife and the State shall be at liberty to seek cancellation of this order, in case the final terms and conditions of compromise deed dated 15.01.2024 (Annexure P-2) are violated.

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

(HARPREET KAUR JEEWAN)
JUDGE

01st April, 2024
sim

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