



CRM-M-6801-2024 (O&M) - 1 -

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-6801-2024 (O&M)
Date of Decision: 27.05.2024

RAJAT AND OTHERS

... PETITIONERS

V/S

STATE OF PUNJAB AND ANOTHER

... RESPONDENTS

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Buta Singh, Advocate for
Mr. Shehbaz Thind, Advocate for the petitioners.

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

Mr. Jagraj Singh, 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.0076 dated 11.10.2023 at Police Station Women, District Police Commissionerate, Ludhiana under Sections 406 and 498-A of the IPC and all consequential proceedings arising therefrom on the basis of the compromise deed dated 28.11.2023 (Annexure P-2) executed between the parties.

[2] Learned 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 petitioner No.1. A copy of the compromise dated 28.11.2023 (Annexure P-2) executed between the parties has been annexed herewith.

They have decided to live separately and agreed to file a joint petition under

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Section 13-B of the Hindu Marriage Act, 1955, before the learned Family Court.

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

[4] On 08.02.2024, 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 10.04.2024 received from the learned Judicial Magistrate First Class, Ludhiana 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] The matrimonial dispute between the parties stands settled. Keeping in view 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.0076 dated 11.10.2023 at Police Station Women, District Police Commissionerate, Ludhiana under Sections 406 and 498-A of the IPC and all the subsequent

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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 28.11.2023 are violated.

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

27.05.2024

Janki

**(HARPREET KAUR JEEWAN)
JUDGE***Whether speaking/reasoned : Yes/No**Whether reportable : Yes/No*