



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

314

CRM-M-6805-2024 (O&M)
Date of decision: 21.05.2024

SUKHBAJ SINGH AND ANOTHER

...Petitioners

Versus

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present : Ms. M.S. Hundal, Advocate
for the petitioners.

Mr. D.B. Singh, Sr. DAG, Punjab.

Mr. Sandeep Kumar Bansal, Advocate for
Mr. Rahul Bansal, Advocate
for respondent No.2.

HARPREET KAUR JEEWAN, J.

[1] The present petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.403 dated 19.09.2023, under Sections 406 and 498-A IPC registered at Police Station Goindwal Sahib, District Tarn Taran (Annexure P-1/T), on the basis of compromise/affidavit dated 15.01.2024 (Annexure P-2/T) executed by the respondent No.2 and compromise deed dated 08.02.2024 (Annexure P-6/T) 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 on account of a matrimonial



dispute between the parties. He further contends that the matter has been settled between the petitioners and respondent No.2 and compromise/affidavit dated 15.01.2024 (Annexure P-2/T) has been executed by the respondent No.2 as well as compromise deed dated 08.02.2024 (Annexure P-6/T) has also been executed between the parties. He submits both the parties are living together, as such, 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] Learned State counsel has not raised any objection regarding the acceptance of the present petition.

[5] On 06.03.2024, the parties were directed to appear before the trial Court/Illaq Magistrate for recording of their statements regarding the compromise.

[6] As per the report dated 05.04.2024 received from the Sub Divisional Judicial Magistrate, Khadur Sahib forwarded through the office of District and Sessions Judge, Tarn Taran, compromise effected between the parties is genuine, voluntary and without any coercion or undue influence. Petitioners have not been declared as 'Proclaimed Offenders'.

[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.403 dated 19.09.2023, under Sections 406 and 498-A IPC registered at Police Station Goindwal Sahib, District Tarn Taran (Annexure P-1) and all the subsequent proceedings emanating therefrom are ordered to be quashed, qua the petitioners.

[9] However, the 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 are violated.

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

(HARPREET KAUR JEEWAN)
JUDGE

21.05.2024

P.Bhatt

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