

CRM-M-8125-2024 (O&M) - 1 -

2024 : PHHC : 062938

316

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-8125-2024 (O&M)

Date of Decision: 06.05.2024

VISHAL GULATI @ VISHAL KUMAR

... PETITIONER

V/S

STATE OF PUNJAB AND ANOTHER

... RESPONDENTS

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Brijeshwar Vashist, Advocate for the petitioner.

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

Mr. Mohit Bassi, Advocate for respondent No.2.

\* \* \*

**HARPREET KAUR JEEWAN, J. (ORAL)**

[1] The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.117 dated 06.08.2022, under Sections 406, 494 and 498-A IPC, registered at Police Station Women, Police Commissionerate Ludhiana, (Annexure P-1) and all the consequential proceedings arising therefrom on the basis of compromise deed dated 30.01.2024 (Annexure P-2) executed between the parties.

[2] Learned counsel for the petitioner *inter alia* contends that the FIR was registered at the instance of respondent No. 2 due to matrimonial dispute, which stands resolved now. As per the terms of compromise, the parties have decided to part ways and file a joint petition for 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 20.02.2024, 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 dated 16.04.2024, 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 petitioner has not been declared as “Proclaimed Offender” and there is no other case registered against him.

[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. 117 dated 06.08.2022, under Sections 406, 494 and 498-A IPC, registered at Police Station Women, Police Commissionerate Ludhiana and all the subsequent proceedings emanating therefrom are ordered to be quashed, qua the petitioner.

[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 30.01.2024 are violated.

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

06.05.2024  
Janki

(HARPREET KAUR JEEWAN)  
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No