

289 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-8505-2024 (O&M)
Date of Decision: 22.04.2024

LOVEDEEP SINGH AND OTHERS ... PETITIONERS

V/S

STATE OF HARYANA AND ANOTHER ... RESPONDENTS

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Dhruv Gupta, Advocate, for the petitioners.

Ms. Mayuri Lakhanpal Kalia, DAG, Haryana.

Mr. Prince Pushpinder Rana, 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.17 dated 22.01.2019 registered at Police Station Ambala Sadar, District Ambala under Sections 323, 406, 498-A, 506 IPC, on the basis of compromise deed dated 07.02.2024 (Annexure P-2) executed between the parties.

[2] Learned counsel for the petitioners *inter alia* contends that *the* FIR was registered due to a matrimonial dispute between the parties and now petitioner No.1-Lovedeep Singh (husband) and respondent No.2-Gurpreet Kaur (wife) have decided to resolve their matrimonial dispute and end various litigations pending *inter se* the parties in different Courts. Petitioner No.1 and respondent No.2 have also filed a joint petition for divorce under Section 13-B of the Hindu Marriage Act, 1955 before Family

Court, Ambala (Annexure P-3) and a compromise dated 07.02.2024 (Annexure P-2) has been effected between the parties. Petitioner No.1-husband has agreed to pay a sum of Rs.11 lakhs to respondent No.2-wife for her past, present and future maintenance.

[3] Mr. Prince Pushpinder Rana, Advocate has filed power of attorney on behalf of respondent No.2 and has confirmed the factum of compromise between the parties.

[4] On 19.02.2024, 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 07.03.2024, received from the learned Judicial Magistrate First Class, Ambala 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".

[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. 17 dated

22.01.2019 registered at Police Station Ambala Sadar, District Ambala under Sections 323, 406, 498-A, 506 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 07.02.2024 are violated.

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

22.04.2024

Janki

(HARPREET KAUR JEEWAN)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No