



Sr. No.299(01)
IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-8913-2024
Date of decision: 29th May, 2024

GURBAKASH SINGH ALIAS GURBAX SINGH
AND ANOTHER **.....Petitioners**

versus

STATE OF PUNJAB AND ANR **.....Respondents**

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Gursewak Singh, Advocate
for the petitioners.

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

Mr. Amar Jeet, 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 GD No.31 dated 30.01.2022, under Sections 498-A, 323, 34 IPC (Annexure P-2), in FIR No.11 dated 29.01.2022, under Sections 451, 506, 323, 325 IPC, 1860, registered at Police Station City Malout, District Shri Muktsar Sahib (Annexure P-1), on the basis of compromise deed dated 24.01.2024 (Annexure P-3) executed between the parties.

[2] Learned counsel for the petitioners contends that the impugned DDR No.31 dated 30.01.2022 was registered at the instance of respondent No.2 on account of a matrimonial dispute *inter se* the parties. However, with the intervention of the respectables, the matter has now been amicably settled and the parties have executed compromise deed dated 24.01.2024 (Annexure P-3).

Respondent No.2 does not want to pursue the FIR and she has no objection if the



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

[4] On 15.03.2024, 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 24.05.2024, received from the Sub-Divisional Judicial Magistrate, Malout, through the District & Sessions Judge, Sri Muktsar Sahib, 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. As per the statement of the Investigating Officer - ASI Harbans Singh, no additional accused has been added in the present FIR.

[6] Learned State counsel has not raised any objection regarding the acceptance of the present petition.

[7] The matrimonial dispute *inter se* 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, the present petition is allowed and GD No.31 dated 30.01.2022, under Sections 498-A, 323, 34 IPC (Annexure P-2), in FIR No.11 dated 29.01.2022, under Sections 451, 506, 323, 325 IPC, 1860, registered at Police Station City Malout, District Shri Muktsar Sahib (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 deed dated 24.01.2024 (Annexure P-3) are violated.

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

(HARPREET KAUR JEEWAN)
JUDGE

29th May, 2024
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Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No