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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-12890-2023 (O&M)

Date of Decision: 15.04.2024

SUKHWINDER KAUR AND ANOTHER

V/S

... PETITIONERS

STATE OF PUNJAB AND ANOTHER

... RESPONDENTS

CORAM:

HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present:

Ms. Nandini Sharma, Advocate, for
Mr. Umesh Aggarwal, Advocate, for the petitioners.

Mr. Rishab Singla, A.A.G., Punjab.

Mr. Saurabh Arora, 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.19, dated 20.03.2021, under Sections 406 and 498-A of the Indian Penal Code, 1860, (for short '*the IPC*') registered at Police Station Women Cell, District Amritsar, on the basis of compromise deed dated 09.01.2023 (Annexure P-3) between the parties.

[2]

Learned counsel for the petitioners *inter alia* contends that the FIR was registered on account of the matrimonial dispute between petitioner No.2-Inderjeet Singh and respondent No. 2-Archimeet Kaur, which stands resolved now. Petitioner No. 1 is the mother-in-law of respondent No. 2. Both, petitioner No. 2 and respondent No. 2 have already filed a petition under Section 13-B of the Hindu Marriage Act, 1955, before the Family Court, Amritsar, in which both motion statements have been recorded and the same is now pending for orders. The said fact has also

been confirmed from the statement of petitioner No. 2-husband and respondent No. 2-wife recorded by the learned trial Court in compliance of the order dated 08.12.2023 passed by this Bench.

[3] Learned counsel appearing on behalf of respondent No. 2 has confirmed the factum of compromise between the parties. He submits that respondent No. 2 has no objection if the present FIR against the present petitioners is quashed by this Court.

[4] On 08.12.2023, 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 12.01.2024, received from the learned Judicial Magistrate First Class, Amritsar, 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". As per the statement of the investigating officer, no offence was added or deleted and no additional accused has also been added during the investigation.

[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 facts and circumstances of the case, 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.19, dated 20.03.2021, under Sections 406 and 498-A of the IPC, registered at Police Station Women Cell, District Amritsar 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 09.01.2023 (Annexure P-3) are violated.

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

15.04.2024

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(HARPREET KAUR JEEWAN)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No