



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

298

CRM-M-9540-2024 (O&M)
Date of decision: 16.07.2024

SANDEEP KUMAR AND OTHERS

...Petitioners

Versus

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present : Ms. Ramandeep Kaur, Advocate
for the petitioners.

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

Mr. Gajender Singh 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.214 dated 09.09.2017, under Sections 406, 498-A IPC registered at Police Station Dera bassi, District SAS Nagar (Annexure P-1), on the basis of compromise deed dated 12.02.2024 (Annexure P-2) 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 deed dated 12.02.2024 (Annexure P-2) has been executed between them. He submits that as



per the compromise, petitioner No.1-husband and respondent No.2-wife have filed a joint petition for divorce under Section 13-B of the Hindu Marriage Act, 1955 before Family Court, Chandigarh, 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 25.04.2024, 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 04.05.2024 received from Sub Divisional Judicial Magistrate, Dera Bassi forwarded through the office of District and Sessions Judge, SAS Nagar, compromise effected between the parties is genuine, voluntary and without any coercion or undue influence. The petitioners have not been declared as 'Proclaimed Offenders'.

[7] The matrimonial dispute between the parties stands resolved. In view of the above, no useful purpose would be served to continue with the prosecution of the petitioners in the present FIR.

[8] 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.

[9] Consequently, this petition is allowed and FIR No.214 dated 09.09.2017, under Sections 406, 498-A IPC registered at Police Station Dera bassi, District SAS Nagar (Annexure P-1) and all the subsequent proceedings emanating therefrom are ordered to be quashed, qua the petitioners.

[10] 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 (Annexure P-2) are violated.

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

(HARPREET KAUR JEEWAN)
JUDGE

16.07.2024

P.Bhatt

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