

Sr. No.309

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-9789-2024

Date of decision: 08th May, 2024

SUKHDEV SINGH AND OTHERS

.....Petitioners

versus

STATE OF PUNJAB AND ANOTHER

.....Respondents

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

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

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

Mr. Jasraj Singh, Advocate and
Mr. I.P.S. Deol, 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 FIR No.71 dated 07.06.2018, under Sections 498-A, 406, 420, 506, 34 IPC, 1860, registered at Police Station Bulowal, District Hoshiarpur (Annexure P-1), on the basis of compromise deed dated 06.11.2023 (Annexure P-2) executed between the parties.

[2] Learned counsel for the petitioner contends that the FIR was registered at the instance of respondent No.2 on account of a matrimonial dispute *inter se* petitioner No.1 and respondent No.2. However, the matter has now been amicably settled in the Mediation and Conciliation Centre of this Court and the parties have executed compromise deed dated 06.11.2023 (Annexure P-2). The parties have been granted divorce by the Family Court, Hoshiarpur vide judgment dated 19.03.2024. Copy of the same has been submitted in the Court, which is taken on

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

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

[4] On 26.02.2024, 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 05.04.2024, received from the Judicial Magistrate, Ist Class, Hoshiarpur, through the District & Sessions Judge, Hoshiarpur, 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.

[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, the present petition is allowed and FIR No.71 dated 07.06.2018, under Sections 498-A, 406, 420, 506, 34 IPC, 1860, registered at Police Station Bulowal, District Hoshiarpur (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 06.11.2023 (Annexure P-2) are violated.

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

08th May, 2024

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(HARPREET KAUR JEEWAN)
JUDGE

Whether speaking/reasoned

:

Yes/No

Whether reportable

:

Yes/No