

CRM-M-14135-2018
Date of decision: 10.04.2024

...PETITIONERS

V/S

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. H.S. Jakhal, Advocate
for the petitioners.

Mr. Rishabh Singla, AAG, Punjab.

Ms. Kiranpreet Kaur, Advocate for respondent No.2.

HARPREET SINGH BRAR J. (ORAL)

This is a petition for quashing of the FIR No.9 dated 20.4.2016 under Sections 406 and 498-A IPC registered at Police Station Women, Ferozepur (Annexure P-2) along with all subsequent proceedings arising therefrom in view of the compromise effected between the parties.

2. The following order was passed on 24.05.2023 :-

“xxx..

This is a petition for quashing of the FIR No.9 dated 20.4.2016 under Sections 406 and 498-A IPC registered at Police Station Women, Ferozepur (Annexure P-2) in view of the statements recorded in the petition under Section 13-B (I) of Hindu Marriage Act, 1955, for dissolution of marriage by mutual consent.

Let the parties appear before the trial Court/Duty Magistrate on 10.7.2023 or any other date convenient to the Court, for recording their statements with regard to compromise.

The trial Court/Duty Magistrate is directed to submit a report on or before the next date of hearing as regards authenticity and genuineness of compromise after recording

statements of all the parties. The trial Court /Duty Magistrate shall also furnish the following information:

1. Whether there is any other accused, apart from the petitioners arrayed in this petition.
2. Whether there is any other complainant or affected/aggrieved party, apart from the respondents arrayed in the petition.
3. Whether the parties are involved in any other criminal case.
4. Whether any of the parties has been declared a proclaimed offender.

The trial Court/Duty Magistrate shall send his/her report through the Sessions Judge concerned on or before the date fixed, i.e., 9.8.2023.”

3. In compliance of the above order, a report has been received from the concerned jurisdictional Court that the compromise between the parties is genuine and arrived at without any pressure or coercion from anyone.
4. In view of the compromise and the ratio of law laid down by the Hon’ble Supreme Court in *Narinder Singh and others vs. State of Punjab and another, (2014) 6 SCC 466, Ramgopal and another Vs. State of Madhya Pradesh 2021 SCC OnLine SC 834* and *Shakuntala Sawhney (Mrs) Vs. Kaushalya (Mrs.) and others (1980) 1 SCC 63* and Full Bench of this Court in *Kulwinder Singh Vs. State of Punjab 2007 (3) RCR (CrL) 1052*, this petition is allowed and FIR No.9 dated 20.4.2016 under Sections 406 and 498-A IPC registered at Police Station Women, Ferozepur (Annexure P-2) and all subsequent proceedings arising out of the same are quashed, qua the petitioners.

April 10, 2024
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(HARPREET SINGH BRAR)
JUDGE

- (i)

Whether speaking/reasoned

Yes/No
- (ii)

Whether reportable

Yes/No