

Sr. No.287

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-17859-2021
Date of decision: 05th March, 2024

DALWINDER SINGH DEOL AND ANR**Petitioners**

versus

STATE OF PUNJAB AND ANOTHER**Respondents**

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Inderjeet Singh Chawla, Advocate for
Mr. Monty Goyal, Advocate
for the petitioners.

Mr. Ramandeep Singh, Sr. DAG, Punjab.

Mr. J.S. Thakur, 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.35 dated 02.06.2020, under Sections 406, 498-A, 313, 506 IPC, registered at Police Station Jodhan, Ludhiana (Annexure P-1), on the basis of a panchayati compromise dated 10.01.2021 (Annexure P-2) arrived at between the parties.

[2] Learned counsel for the petitioners contends that the FIR was registered at the instance of respondent No.2-wife on account of a matrimonial dispute. With the intervention of the respectables, the parties have put an end to all their grudges and arrived at a compromise on 10.01.2021 (Annexure P-2). Respondent No.2-wife has also filed an affidavit dated 21.01.2022 (Annexure P-3). The parties have decided to part ways and a joint petition under Section 13-B of the Hindu Marriage Act, 1955 has already been filed by them before the Family Court,

Ludhiana (Annexure P-4). As per the compromise (Annexure P-2), petitioner No.1-

husband has paid a total amount of Rs.1,50,000/- to respondent No.2-wife as alimony qua past, present and future maintenance, while recording of their statements on first motion before the Family Court, Ludhiana. Respondent No.2-wife does not want to take any action against the petitioners 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 29.04.2021, 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 14.09.2022, received from the Judicial Magistrate, Ist Class, Ludhiana, through the District & Sessions Judge, Ludhiana, 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] Keeping in view the facts and circumstances of the case and 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.35 dated

Jodhan, Ludhiana (Annexure P-1) and all the subsequent proceedings emanating therefrom are ordered to be quashed, qua the petitioners.

[9] However, the respondent No.2-wife and the State shall be at liberty to seek cancellation of this order, in case the final terms and conditions of compromise dated 10.01.2021 (Annexure P-2) are violated.

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

(HARPREET KAUR JEEWAN)
JUDGE

05th March, 2024
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<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>