



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

284

CRM-M-12672-2024 (O&M)
Date of decision: 30.05.2024

GURPARVESH SINGH

...Petitioner

Versus

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present : Mr. Sidhant Vermani, Advocate
for the petitioner (through video conferencing).

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

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.130 dated 18.09.2023, under Sections 406, 498-A IPC registered at Police Station Jhabal, District Tarn Taran (Annexure P-1), on the basis of compromise deed dated 05.01.2024 (Annexure P-2) between the parties.

[2] Learned counsel for the petitioner *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 petitioner and respondent No.2 and compromise deed dated 05.01.2024 (Annexure P-2) has been executed between them in Mediation and Conciliation Centre of this Court. As per the compromise, both the parties have



filed a joint petition for divorce under Section 13-B of the Hindu Marriage Act, 1955 before the Family Court, Tarn Taran. As per compromise, a sum of Rs.11 lakhs would be paid to the respondent No.2 as permanent alimony and maintenance (past, present and future) by the petitioner, as such respondent No.2 does not want to take any action in the present FIR.

[3] Learned State counsel has not raised any objection regarding the acceptance of the present petition.

[4] On 12.03.2024, 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 26.04.2024 received from the Judicial Magistrate 1st Class, Tarn Taran forwarded through the office of District and Sessions Judge, Tarn Taran, compromise effected between the parties is genuine, voluntary and without any coercion or undue influence. The petitioner has not been declared as 'Proclaimed Offender'.

[6] 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.

[7] Consequently, this petition is allowed and FIR No.130 dated 18.09.2023, under Sections 406, 498-A IPC registered at Police Station Jhabal, District Tarn Taran (Annexure P-1) and all the subsequent proceedings emanating



therefrom are ordered to be quashed, qua the petitioner.

[8] 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.

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

(HARPREET KAUR JEEWAN)
JUDGE

30.05.2024

P.Bhatt

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