



Sr. No.313

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

**CRM-M-13395-2024
Date of decision: 29th May, 2024**

PRANAV JAIN AND OTHERS**Petitioners**

versus

STATE OF PUNJAB AND ANOTHER**Respondents**

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Gautam Pathania, Advocate
for the petitioners.

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

Ms. Kiran Kr. Madan, 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.52 dated 17.06.2022, under Sections 406, 417, 420, 498-A IPC, 1860, registered at Police Station Women, Police Commissionerate, Jalandhar (Annexure P-1), subsequent challan dated 14.09.2022 (Annexure P-2), order under Section 319 Cr.P.C. dated 8.12.2023 (Annexure P-3) and all subsequent proceedings arising therefrom, on the basis of compromise deed dated 12.01.2024 (Annexure P-4) 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-wife on account of a matrimonial dispute. However, the matter has now been amicably settled and the parties have executed compromise deed dated 12.01.2024 (Annexure P-4). The parties have decided to part ways and a joint divorce petition under Section 13-B of the Hindu Marriage Act, 1955 (Annexure P-6), has already been filed by them before the



Family Court, Jalandhar. The petitioner-husband would pay a sum of Rs.30,00,000/- to respondent No.2-wife towards her past, present and future maintenance. The case is now fixed for 29.07.2024 for recording joint statement of parties on second motion. Respondent No.2-wife 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 15.03.2024, 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 12.04.2024, received from the Judicial Magistrate, Ist Class, Jalandhar, through the District & Sessions Judge, Jalandhar, 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.52 dated



Station Women, Police Commissionerate, Jalandhar (Annexure P-1), subsequent challan dated 14.09.2022 (Annexure P-2), order under Section 319 Cr.P.C. dated 8.12.2023 (Annexure P-3) 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 deed dated 12.01.2024 (Annexure P-4) are violated.

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

(HARPREET KAUR JEEWAN)
JUDGE

29th May, 2024
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Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No