



Sr. No.284

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

**CRM-M-16481-2023 (O&M)
Date of decision: 02nd September 2024**

VEER SINGH AND ANOTHERPetitioners

versus

STATE OF PUNJAB AND ANOTHERRespondents

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. N.S. Dandiwal, Advocate
for the petitioners.

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

Mr. Kulbir Singh Saini, Advocate for
Mr. Kuldeep Saini, 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.109 dated 07.09.2022, under Sections 498-A, 406, 120-B IPC, 1860, registered at Police Station Badhni Kalan, District Moga (Annexure P-1), on the basis of compromise deed dated 13.03.2023 (Annexure P-2), executed between the parties.
2. This Court, vide order dated 10.04.2023, had directed the parties to appear before the trial Court to get their statements recorded and the learned Magistrate was directed to send its report qua the genuineness of the compromise.
3. Pursuant to the aforesaid order, the parties have appeared before the Suv-Divisional Judicial Magistrate, Nihal Singh Wala and got their statements recorded. On the basis of the statements so recorded, the learned Magistrate has submitted report dated 03.05.2023 with the following observations:-



“xxx xxx xxx xxx

1. *From the statements of the parties and from the FIR, this Court finds that apart from the petitioners, there is one another accused, arrayed in the petition namely Sukhwinder Singh.*
2. *From the statement of the complainant Sukhjot Kaur and from the FIR, this Court finds that there is no other complainant or affected/aggrieved party, apart from the respondents arrayed in the petition.*
3. *From the statements of the parties, this Court finds that the none of the parties are involved in any other criminal case.*
4. *From the statements of the parties, this Court finds that none of the parties has been declared Proclaimed Offender.*
5. *Statements of complainant Sukhjot Kaur as well as accused Veer Singh and Jasbir Kaur have been recorded. The compromise between the parties is genuine, voluntarily and without any coercion or undue influence.*

xxx xxx xxx xxx”

4. Learned State counsel as well as counsel for respondent No.2 have not disputed the factum of compromise between the parties.
5. In view of the above, no useful purpose would be served to continue with the proceedings before the trial Court in the instant FIR.
6. Following the principles laid down by the Full Bench judgment of this Court in “**Kulwinder Singh and others Versus State of Punjab and another 2007**” (3) RCR (Criminal) 1052 and approved by the Hon'ble Supreme Court in “**Gian Singh Versus State of Punjab and others**” (2012) 10 SCC 303, the present petition is allowed and FIR No.109 dated 07.09.2022, under Sections 498-A, 406, 120-B IPC, 1860, registered at Police Station Badhni Kalan, District Moga (Annexure



P-1) and all subsequent proceedings arising therefrom are ordered to be quashed qua the petitioners.

7. 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 13.03.2023 (Annexure P-2) are violated.

8. Pending miscellaneous application(s), if any, shall also stand disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

02nd September 2024
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Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No