



Sr. No.124+261 (02)

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

**CRM-21753-2024 in/and
CRM-M-16431-2024
Date of decision: 17th May, 2024**

BAYANT SINGH AND OTHERS **.....Petitioners**

versus

STATE OF PUNJAB AND ANOTHER **.....Respondents**

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Rajan Singh Dadwal, Advocate
for the petitioners.

Mr. Ravinder Singh, AAG, Punjab.

Mr. Suraj Kaundal, Advocate
for respondent No.2

HARPREET KAUR JEEWAN, J. (ORAL)

CRM-21753-2024

This application has been filed by the applicant-petitioners under Section 482 Cr.P.C. for correction of typographical mistake in the memo of parties with regard to the name of husband and father of respondent No.2.

Keeping in view the averments made in the application, which is supported with duly sworn affidavit of petitioner No.1, the same is allowed.

The name of husband of respondent No.2 be read as 'Bayant Singh' instead of 'Beant Singh' and the name of father of respondent No.2 be read as 'Jagraj Singh' instead of 'Jagtar Singh'.

Amended memo of parties is taken on record.

Registry is directed to tag the same at the appropriate place.

CRM stands disposed of.



CRM-M-16431-2024

[1] The present petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.55 dated 29.07.2022, under Sections 451, 323, 294, 506, 148, 149 IPC, 1860, registered at Police Station Sudhar, District Ludhiana Rural (Annexure P-1), on the basis of compromise deed dated 20.02.2024 (Annexure P-2), executed 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. However, with the intervention of the respectables, the matter has now been amicably settled and the parties have executed compromise deed dated 20.02.2024 (Annexure P-2). 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. The petitioner No.1-husband has agreed to pay a total sum of Rs.7,50,000/- to respondent No.2-wife and her minor daughter as permanent alimony. All the articles of *Istridhan* have also been received by respondent No.2. 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 05.04.2024, 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 24.04.2024, received from the Judicial Magistrate, Ist Class, Jagraon, 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. As per the report, that three accused namely Davinder Singh, Jagjit Kaur and Paramjeet Kaur were



nominated as additional accused during investigation and they are a party to the compromise. It has further been reported by the Magistrate that after the registration of the FIR, offence under Section 34 IPC was deleted and offence under Sections 148, 149 IPC was added during investigation.

[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.55 dated 29.07.2022, under Sections 451, 323, 294, 506, 148, 149 IPC, 1860, registered at Police Station Sudhar, District Ludhiana Rural (Annexure P-1) and all the subsequent proceedings emanating therefrom are ordered to be quashed, qua the petitioners.

[9] 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 20.02.2024 (Annexure P-2) are violated.

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

(HARPREET KAUR JEEWAN)
JUDGE

17th May, 2024
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