



219 IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

**CRM-M-17610-2024 (O&M)**

**Date of decision: 10.05.2024**

**RAKESH KUMAR AND OTHERS**

## ...PETITIONERS

V/S

STATE OF PUNJAB AND ANOTHER

## ...RESPONDENTS

**CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR**

Present: Mr. L.S. Sidhu, Advocate  
for the petitioners.

Mr. Sandeep Kumar, DAG Punjab.

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**HARPREET SINGH BRAR J. (ORAL)**

1. This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No. 144 dated 13.07.2021 registered under Sections 406, 498-A and 506 of Indian Code at Police Station City-2 Khanna, Police District Khanna, District Ludhiana and all consequential proceedings arising therefrom on the basis of compromise arrived at between the parties in the petition under Section 13-B of Hindu Marriage Act, 1955 (Annexure P-4).

2. The following order was passed on 09.04.2024:

*“This petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.144 dated 13.07.2021 under Sections 406, 498-A, 506 of IPC, registered at Police Station City-1 Khanna, Police District Khanna, District Ludhiana (Annexure P-1) and all the subsequent proceedings arising therefrom on the basis of compromise effected between the parties in the petition under Section 13-B of the Hindu Marriage Act, 1955 (for short ‘the Act’) (Annexure P-4).*



## 2

*Learned counsel for the petitioners, inter alia, contends that the parties have compromised the matter and on the basis of same, marriage between petitioner No.1 and respondent No.2 has been dissolved by a decree of divorce by way of mutual consent on 01.03.2024.*

*Notice of motion for 10.05.2024.*

*At this stage, on asking of the Court, Mr. Subhash Godara, Addl. A.G., Punjab accepts notice on behalf of respondent No.1-State. Copy of the paper book be supplied to him during the course of day.*

*Learned counsel for the petitioners undertakes to secure presence of respondent No.2 at the time of recording the statement.*

*In the meanwhile, the parties are directed to appear before the learned trial Court/Illaq Magistrate within two weeks from today or any other date convenient to the trial Court/Illaq Magistrate, to get their statements recorded regarding compromise and after recording their statements, learned trial Court/Illaq Magistrate is directed to send report regarding the genuineness of compromise and also to intimate whether any PO proceedings are pending against any of the party on or before the date fixed i.e. 10.05.2024.*

*A copy of the order be sent to learned trial Court/Illaq Magistrate through fax for compliance.”*

3. In compliance of the aforesaid orders, a report has been received from the concerned jurisdictional Court that the compromise between the parties is genuine and arrived at without any pressure or coercion from anyone.

4. In view of the compromise and the ratio of law laid down by the Hon'ble Supreme Court in **Narinder Singh and others vs. State of Punjab and another, (2014) 6 SCC 466, Ramgopal and another Vs. State of Madhya Pradesh 2021 SCC OnLine SC 834** and **Shakuntala Sawhney (Mrs) Vs.**



**Kaushalya (Mrs.) and others (1980) 1 SCC 63** and Full Bench of this Court in **Kulwinder Singh Vs. State of Punjab 2007 (3) RCR (CrL.) 1052**, this petition is allowed and FIR No. 144 dated 13.07.2021 registered under Sections 406, 498-A and 506 of Indian Code at Police Station City-2 Khanna, Police District Khanna, District Ludhiana and all subsequent proceedings arising out of the same are quashed, qua the petitioners.

5. In case, the petitioner fails to fulfill the terms and conditions of the compromise, respondent No. 2 would be at liberty to revive the present petition by moving an appropriate application.

**May 10, 2024**  
*Ajay Goswami*

**(HARPREET SINGH BRAR)**  
**JUDGE**

|      |                           |        |
|------|---------------------------|--------|
| (i)  | Whether speaking/reasoned | Yes/No |
| (ii) | Whether reportable        | Yes/No |