

CRM-M-17361-2024
Date of decision: 15.10.2024

...PETITIONERS

...RESPONDENTS

Learned counsel for the petitioners, inter alia, contends that pursuant to the compromise (Annexure P-2), the parties have already filed a petition before the concerned Family Court under Section 13-B of the Hindu Marriage Act seeking dissolution of marriage by way of mutual consent. It is further contended that



first motion statements of the parties have already been recorded and next date for recording second motion statements is fixed for 16.09.2024. It is also contended that as per the compromise, one gold bangle (karra) and one gold ring were to be handed over to respondent No.2 in Court itself at the time of hearing of quashing of FIR (supra) on the basis of compromise and the remaining amount would be paid to respondent No.2 on 16.09.2024. As such, a prayer is made for recording statements of the parties in support of the compromise, on 16.09.2024.

Notice of motion for 15.10.2024.

At this stage, on asking of the Court, Mr. Subhash Godara, Addl. A.G., Punjab accepts notice on behalf of respondent No.1-State and Mr. R.S. Sohi, Advocate accepts notice for respondent No.2 and files his Vakalatnama, which is taken on record. Copy of the paper book be supplied to them during the course of day.

Service is complete.

Learned counsel for the petitioners has handed over the aforesaid two gold articles to learned counsel for respondent No.2 in the Court today itself.

In the meanwhile, the parties are directed to appear before the learned trial Court/Illaq Magistrate on 16.09.2024, 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. 15.10.2024.

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

3. In compliance of the aforesaid order, 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.04 dated 04.03.2024 under Sections 406 & 498-A of IPC, registered at Police Station Women Cell, Malerkotla (Annexure P-1) and all consequential proceedings arising out of the same are quashed, qua the petitioners.

October 15, 2024
manisha

(HARPREET SINGH BRAR)
JUDGE

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