



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

305

CRM-M-22553-2024 (O&M)
Date of decision: 26.09.2024

GURJEET SINGH

...Petitioner

Versus

STATE OF PUNJAB AND ANR

...Respondents

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present : Mr. Onkar Singh Batalvi, Advocate
for the petitioners.

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

Mr. Himanshu Chaudhary, Advocate for
Mr. Kulwant Singh, Advocate
for respondent No.2.

HARPREET KAUR JEEWAN, J.

[1] The present petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.302 dated 09.10.2018, under Section 498-A IPC registered at Police Station Sadar Jagraon, District Ludhiana Rural (Annexure P-1), on the basis of compromise deed dated 16.04.2024 (Annexure P-2) executed between the parties.

[2] Learned counsel for the petitioner contends that the FIR was registered at the instance of respondent No.2 on account of a matrimonial dispute between the petitioner and respondent No.2. He further contends that the matter has been settled between the parties and compromise deed dated 16.04.2024 (Annexure P-2) has been executed between them. He submits that as per the compromise, both the petitioner-husband and respondent No.2-wife would file a



joint petition for divorce under Section 13-B of the Hindu Marriage Act, 1955, as such, respondent No.2 does not want to take any action in the FIR.

[3] Learned counsel for respondent No.2 confirms about the factum of compromise between the parties.

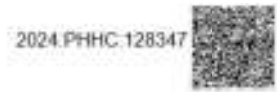
[4] Learned State counsel has not raised any objection regarding the acceptance of the present petition.

[5] On 07.05.2024, 05.07.2024 and 31.07.2024, the parties were directed to appear before the trial Court/Illaqa Magistrate for recording of their statements regarding the compromise.

[6] As per the report dated 16.08.2024 received from Sub Divisional Judicial Magistrate, Jagraon forwarded through the office of District and Sessions Judge, Ludhiana, compromise effected between the parties is genuine, voluntary and without any coercion or undue influence. The petitioner has not been declared as 'Proclaimed Offender'. As per the report, the statements of the petitioner namely Gurjeet Singh and complainant/respondent No.2 namely Manvir Kaur have been recorded through video conferencing. The special power of attorney executed by both the petitioner and respondent No.2 has also been verified.

[7] The matrimonial dispute between the parties stands resolved. In view of the above, no useful purpose would be served to continue with the prosecution of the petitioners in the present FIR.

[8] 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.

[9] Consequently, this petition is allowed and FIR No.302 dated 09.10.2018, under Section 498-A IPC registered at Police Station Sadar Jagraon, District Ludhiana Rural (Annexure P-1) and all the subsequent proceedings emanating therefrom are ordered to be quashed, qua the petitioner.

[10] 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 (Annexure P-2) are violated.

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

(HARPREET KAUR JEEWAN)
JUDGE

26.09.2024
P.Bhatt

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No