

CRM-M-23612-2024
Date of decision: 08.08.2024

...PETITIONER

...RESPONDENTS

Present: Mr. Vipul Dharmani, Advocate for the petitioner.
Mr. Rishabh Singla, AAG, Punjab.
None for respondent Nos.2 and 3.

1. This petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.0019 dated 16.02.2024 under Section 498-A of IPC registered at Police Station Women, SAS Nagar (Annexure P-3) along with all subsequent proceedings arising therefrom on the basis of mutual divorce petition filed under Section 13-B of the Hindu Marriage Act, 1955 (Annexure P1) and statements of first hearing dated 31.08.2023 (Annexure P-2) and settlement deed dated 24.04.2024 (Annexure P-4).

2. The following order was passed on 10.05.2024 :-

“This petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.0019 dated 16.02.2024 under Section 498-A of IPC registered at Police Station Women, SAS Nagar (Annexure P-3) along with all subsequent proceedings arising therefrom on the basis of mutual divorce petition filed under Section 13-B of the Hindu Marriage Act, 1955 (Annexure P1) and statements of first hearing dated 31.08.2023 (Annexure P-2) and settlement deed dated 24.04.2024 (Annexure P-4).

Notice of motion for 08.08.2024.

At this stage, on the asking of the Court, Mr. Subhash Godara, Addl.A.G., Punjab accepts notice on behalf of respondent No.1-State and Mr. Akhil Sainii, Advocate accepts notice for respondents No.2 & 3 and files his vakalatnama and admits to the



factum of compromise. Copy of the paper book be supplied to them during the course of day.

Service is complete.

In the meanwhile, the parties are directed to appear before the learned trial Court/Illaqa Magistrate within two weeks from today or any other date convenient to the trial Court/Illaqa Magistrate or on 25.07.2024, the date fixed for second motion statement in a petition filed under Section 13-B of the Hindu Marriage Act, 1955, filed by the parties, to get their statements recorded regarding compromise and after recording their statements, learned trial Court/Illaqa 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. 08.08.2024.

A copy of the order be sent to learned trial Court/Illaqa 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.0019 dated 16.02.2024 under Section 498-A of IPC registered at Police Station Women, SAS Nagar (Annexure P-3) and all consequential proceedings arising out of the same are quashed, qua the petitioner.

August 08, 2024
manisha

(HARPREET SINGH BRAR)
JUDGE

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