



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

242

CRM-M-24835-2024 (O&M)
Date of decision: 23.08.2024

ASHA RANI

...Petitioner

Versus

U.T. CHD. AND ANR

...Respondents

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present : Ms. Meher Sachdev, Advocate for
Mr. M.S. Sachdev, Advocate
for the petitioner.

Mr. Sandeep Kumar, Advocate for
Mr. Amit Kumar Goyal, APP, U.T., Chandigarh.

Mr. Om Malhan, 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.25 dated 09.04.2018, under Sections 406 and 498-A IPC registered at Women Police Station, Chandigarh, District Chandigarh (Annexure P-1) on the basis of compromise deed (Annexure P-2) executed between the parties.

[2] Learned counsel for the petitioner *inter alia* contends that the FIR was registered at the instance of respondent No.2 on account of a matrimonial



dispute between the son of the petitioner and respondent No.2. The petitioner is mother-in-law of the respondent No.2. He further contends that the matter has been settled between the petitioner and respondent No.2; and compromise deed (Annexure P-2) has been executed between them, 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 18.05.2024, the parties were directed to appear before the trial Court/Illaq Magistrate for recording of their statements regarding the compromise.

[6] As per the report dated 14.06.2024 received from Judicial Magistrate 1st Class, Chandigarh forwarded through the office of District and Sessions Judge, Chandigarh, compromise effected between the parties is genuine, voluntary and without any coercion or undue influence. The petitioner has not been declared as 'Proclaimed Offender'.

[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.25 dated 09.04.2018, under Sections 406 and 498-A IPC registered at Women Police Station, Chandigarh, District Chandigarh (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

23.08.2024

P.Bhatt

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