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319 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-27871-2024 (O&M)
DATE OF DECISION : 20.08.2024

GULAB SINGH AND ANOTHER ... PETITIONERS
V/S
STATE OF PUNJAB AND ANOTHER ... RESPONDENTS

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Mikhail Kad, Advocate for the petitioners.

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

Mr. Ashdeep Singh, Advocate for respondent No.2.

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HARPREET KAUR JEEWAN, J. (ORAL)

[1] The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No. 0008 dated 22.07.2023 registered at Women Police Station Sangrur, District Sangrur under Sections 498-A, 406, 494 IPC, on the basis of compromise deed dated 05.04.2024 (Annexure P-3) executed between the parties.

[2] Learned counsel for the petitioners *inter alia* contends that the FIR was registered due to a matrimonial dispute between the parties and now the parties have executed a compromise deed dated 05.04.2024 (Annexure P-3). He further contends that as per the compromise, petitioner No.2-husband would pay a sum of Rs.25,50,000/- to respondent No.2-wife for her past, present and future maintenance, as such respondent No.2 does not want to take any action in the present FIR.

[3] Learned counsel appearing on behalf of respondent No. 2 has



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confirmed the factum of compromise between the parties.

[4] On 18.07.2024, the parties were directed to appear before the trial Court/Illaq Magistrate for recording of their statements regarding the compromise.

[5] As per the report dated 07.08.2024, received from the learned Judicial Magistrate First Class, Sangrur, the compromise effected between the parties is genuine, voluntary and without any coercion or undue influence. The petitioners have not been declared as "Proclaimed Offender".

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

[7] The matrimonial dispute between the parties stands settled. 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.

[8] Consequently, this petition is allowed and FIR No. 0008 dated 22.07.2023 registered at Women Police Station Sangrur, District Sangrur under Sections 498-A, 406, 494 IPC and all the subsequent proceedings emanating therefrom are ordered to be quashed, qua the petitioners.

[9] However, respondent No.2 and the State shall be at liberty to

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seek cancellation of this order, in case the final terms and conditions of compromise dated 05.04.2024 are violated.

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

20.08.2024

Janki

**(HARPREET KAUR JEEWAN)
JUDGE**

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