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283 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARHCRM-M-28880-2024 (O&M)
DATE OF DECISION : 17.09.2024

JASWINDER SINGH AND OTHERS

... PETITIONERS

V/S

STATE OF PUNJAB AND ANOTHER

... RESPONDENTS

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Ms. Archana Arora, Advocate for the petitioners.

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

Ms. Babita Gupta, Advocate for
Mr. Dhruv Kaushik, 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.24, dated 21.06.2019, registered at Women Police Station, District Bathinda, under Sections 498-A and 406 IPC, on the basis of a compromise deed, dated 18.04.2024 (Annexure P-2) executed between the parties.

[2] Learned counsel for the petitioners *inter alia* contends that the FIR was registered at the instance of respondent No. 2-complainant who is the wife of present petitioner No. 1. A compromise deed dated 18.04.2024 (Annexure P-2) has been executed between the parties. They have decided to live separately. A joint petition under Section 13-B of the Hindu Marriage Act, 1955, has also been filed before the learned Family Court,



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Bathinda (Annexure P-3).

[3] Learned counsel appearing on behalf of respondent No. 2 has confirmed the factum of compromise between the parties.

[4] On 09.07.2024, 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 06.08.2024, received from the learned Judicial Magistrate First Class, Bathinda, the compromise effected between the parties is genuine, voluntary and without any coercion or undue influence. Accused Jarnail Kaur has expired on 15.06.2020 and proceedings qua her have already been abated. The statements of the complainant and petitioners namely Jaswinder Singh, Sewa Singh and Sukhwinder Singh have been recorded by the Area Magistrate. 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

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between the parties.

[8] Consequently, this petition is allowed and FIR No. 24, dated 21.06.2019, registered at Women Police Station, District Bathinda, under Sections 498-A and 406 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 seek cancellation of this order, in case the final terms and conditions of compromise are violated.

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

17.09.2024

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**(HARPREET KAUR JEEWAN)
JUDGE**

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