



Sr. No.293

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-34504-2024
Date of decision: 04th September 2024

HARMESH KAUR AND ORS**Petitioners**

versus

STATE OF PUNJAB AND ANOTHER**Respondents**

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Manpreet Ghuman, Advocate
for the petitioners (through VC).

Ms. Himani Arora, AAG, Punjab.

Mr. Sarthak Mehta, Advocate for
Mr. Arshit Goel, Advocate
for respondent No.2.

HARPREET KAUR JEEWAN, J. (ORAL)

1. The present petition has been filed under Section 482 of the Code of Criminal Procedure, 1973, for quashing of FIR No.61 dated 30.08.2021, under Sections 406, 498-A IPC, 1860 (Section 315 IPC added later on), registered at Police Station Women, District Patiala (Annexure P-1), on the basis of compromise deed dated 04.04.2024 (Annexure P-2), executed between the parties.
2. This Court, vide order dated 22.07.2024, had directed the parties to appear before the trial Court to get their statements recorded and the learned Magistrate was directed to send its report qua the genuineness of the compromise.
3. Pursuant to the aforesaid order, the parties have appeared before the Additional District and Sessions Judge, Fast Track Special Court, Patiala and got their statements recorded. On the basis of the statements so recorded, Additional District and Sessions Judge, Patiala has submitted report dated 21.08.2024 with the



“xxx xxx xxx xxx

1. *A genuine compromise has been arrived at between all the affected parties.*
2. *The complainant and all the accused are a party to the compromise.*
3. *No additional accused has been added in the FIR.*
4. *None of the accused is a proclaimed offender.*
5. *After the registration of the FIR no offence was added or deleted during investigation.*
6. *Investigation is not pending against any of the accused and none of the has been declared as innocent.*

xxx xxx xxx xxx”

4. Learned State counsel as well as counsel for respondent No.2 have not disputed the factum of compromise between the parties.
5. In view of the above, no useful purpose would be served to continue with the proceedings before the trial Court in the instant FIR.
6. Following the principles laid down by the Full Bench judgment of this Court in “**Kulwinder Singh and others Versus State of Punjab and another 2007**” (3) RCR (Criminal) 1052 and approved by the Hon'ble Supreme Court in “**Gian Singh Versus State of Punjab and others**” (2012) 10 SCC 303, the present petition is allowed and FIR No.61 dated 30.08.2021, under Sections 406, 498-A IPC, 1860 (Section 315 IPC added later on), registered at Police Station Women, District Patiala (Annexure P-1) and all subsequent proceedings arising therefrom are ordered to be quashed qua the petitioners.
7. However, the respondent No.2/complainant and the State shall be at liberty to seek cancellation of this order, in case the final terms and conditions of compromise deed dated 04.04.2024 (Annexure P-2) are violated.



8. Pending miscellaneous application(s), if any, shall also stand disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

04th September 2024
simran

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