



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-32979-2023 (O&M)
Date of decision: 24.09.2024

GURJEET SINGH THIND AND OTHERS

...Petitioners

Versus

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present : Mr. Anmol Jeevan Singh Gill, Advocate for
Ms. Simrat Kaur, Advocate
for the petitioners.

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

Ms. Ritu Punj, Advocate with
Ms. Jyoti Kumari, 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.121 dated 30.11.2022, under Sections 498-A, 420, 406, 120-B IPC registered at Police Station Sadar Raikot, District Ludhiana Rural (Annexure P-1), on the basis of affidavit dated 24.05.2023 (Annexure P-2) executed by the respondent No.2.

[2] Learned counsel for the petitioners *inter alia* contends that the FIR was registered at the instance of respondent No.2-complainant on account of a matrimonial dispute between the petitioners and respondent No.2. He further contends that the matter has been settled between the parties and affidavit dated 24.05.2023 (Annexure P-2) has also been executed by respondent No.2 in this



regard. He submits that both the petitioner No.-1-husband and respondent No.2-wife have already filed a joint petition for divorce under Section 13-B of the Hindu Marriage Act, 1955, 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 19.03.2024, the parties were directed to appear before the trial Court/Illaq Magistrate for recording of their statements regarding the compromise. Thereafter, another opportunity was granted to the parties for recording of their statements regarding the compromise as per order dated 01.07.2024 and 02.08.2024 passed by this Court.

[6] As per the report dated 12.09.2024 received from Judicial Magistrate 1st Class, Jagraon forwarded through the office of District and Sessions Judge, Ludhiana, compromise effected between the parties is genuine, voluntary and without any coercion or undue influence. The petitioners have not been declared as 'Proclaimed Offenders'

[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.121 dated 30.11.2022, under Sections 498-A, 420, 406, 120-B IPC registered at Police Station Sadar Raikot, District Ludhiana Rural (Annexure P-1) and all the subsequent proceedings emanating therefrom are ordered to be quashed, qua the petitioners.

[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 are violated.

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

(HARPREET KAUR JEEWAN)
JUDGE

24.09.2024
P.Bhatt

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