



CRM-M-33546-2023 (O&amp;M)

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

CRM-M-33546-2023 (O&amp;M)

Date of Decision: 13.05.2024

**PARMINDER SINGH AND OTHERS****.....PETITIONERS****Vs.****STATE OF PUNJAB AND ANOTHER****.....RESPONDENTS****CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN****Present:-** Mr. Shiv Charan Bhola, Advocate,  
for the petitioners.

Mr. Davinder Bir Singh, Sr. D.A.G., Punjab.

Mr. Lovish Rattan, Advocate,  
for respondent No. 2.

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**HARPREET KAUR JEEWAN J. (ORAL)**

1. The instant petition has been filed by the petitioner under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No. 0014, dated 12.01.2021, under Sections 406 & 498-A of the IPC, 1860 (Annexure P-1) and all subsequent proceedings arising therefrom, on the basis of compromise deed, dated 02.05.2023 (Annexure P-2), executed between the parties.

2. Notice of motion in this case was already issued on 17.07.2023 and on that date, the parties were directed to appear before the learned trial Court for recording of their statements. The relevant part of the aforesaid order reads as under:-

“xxx

xxx

xxx

xxx”



*“Learned counsel for the petitioners, inter-alia, contends that the subject FIR had been got registered due to the dispute arisen out of some misunderstanding between the parties and now, due to the intervention of the respectables, the petitioners and respondent No.2-complainant have resolved/settled their dispute amicably.*

*Notice of motion.*

*Mr. Kunwarbir Singh, learned Assistant Advocate General, Punjab, who has appeared on behalf of respondent No.1-State in this case in pursuance of the copy of the present petition having been sent to this respondent in advance, accepts the notice.*

*At this stage, Mr. Lovish Rattan, Advocate, has also put in appearance on behalf of respondent No.2-complainant in this case and has submitted his Memorandum of Appearance in the Court today and the same has been placed on the file. He accepts the notice on behalf of the said respondent and also admits the factum of the compromise having been arrived at between the parties.*

*Accordingly, the private parties are directed to appear before the Illaqa Magistrate/trial Court on 28.08.2023 for recording their statements in respect of the compromise stated to have been arrived at between them. The Illaqa Magistrate/trial Court shall submit the report on or before 22.11.2023 specifying therein the following:-*

- 1. the number of the accused arraigned in the FIR and how many of them have appeared and have made statements qua the compromise:*
- 2. whether any accused is absconding or has been declared PO/Proclaimed Person in this case:*
- 3. the name(s) of the complainant and injured/aggrieved and whether all of them have appeared and made their statements in support of the compromise;*
- 4. the stage of the trial/proceedings;*
- 5. whether the compromise is genuine, voluntary*



*and has been arrived at between the parties out of their free will;*

*6. whether any other criminal case is pending against any of the accused.*

*The Illaqa Magistrate/trial Court is further directed to record the statement of the Investigating Officer regarding the number of the accused as well as of the victims/complainants/aggrieved persons in the subject FIR. Report of Illaqa Magistrate/trial Court be awaited for the date fixed.*

*Power of Attorney on behalf of respondent No.2 be also filed on or before the date fixed.”*

3. In compliance of the above order, a report has been received from the concerned jurisdictional Court that the compromise between the parties is genuine and arrived at without any pressure or coercion from anyone. As per the statement of the investigating officer, there are only three accused, i.e. the petitioners and only one aggrieved person, i.e. respondent No. 2-complainant in the case and all of them have made their statements qua the compromise. The petitioners have not been declared as Proclaimed Offenders. As per the statement of respondent No. 2-complainant, she has no objection if the present FIR against the present petitioners is quashed by this Court. In compliance of the previous order, dated 23.04.2024, a copy of decree of divorce has also been supplied by learned counsel for the petitioners in Court today. The same is taken on record.

4. In view of the compromise and the ratio of law laid down by the Hon'ble Supreme Court in “Narinder Singh and others vs. State of Punjab and another”, (2014) 6 SCC 466, “Ramgopal and another Vs. State of Madhya Pradesh 2021”; SCC OnLine SC 834 and “Shakuntala Sawhney (Mrs) Vs. Kaushalya (Mrs.) and others; (1980) 1 SCC 63 and Full Bench of this Court in “Kulwinder Singh Vs. State of Punjab 2007”; (3) RCR (Crl.)



1052, this petition is allowed and FIR No. 0014, dated 12.01.2021, under Sections 406 & 498-A of the IPC, 1860, registered at Police Station Beas, District Amritsar, (Annexure P-1) and all subsequent proceedings arising therefrom, on the basis of compromise deed, dated 02.05.2023 (Annexure P-2) are quashed, qua the petitioners.

5. However, the respondent No.2-the 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 02.05.2023 (Annexure P-2) are violated.

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

May 13, 2024  
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(HARPREET KAUR JEEWAN)  
JUDGE

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| Whether Speaking   | Yes |
| Whether reportable | No  |