

Sr. No.211(02)
IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-37416-2023
Date of decision: 13th March, 2024

GURPREET SINGH ALIAS GAGANDEEP SINGH**Petitioner**

versus

STATE OF PUNJAB AND ANOTHER**Respondents**

HARPREET KAUR JEEWAN, J. (ORAL)

Present: Mr. J.S. Jaidka, Advocate and
Mr. Abhishek Khullar, Advocate
for the petitioner.

Mr. Ramandeep Singh, Sr. DAG, Punjab.

Mr. Lovepreet Singh, 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.78 dated 12.05.2023, under Sections 366, 376 IPC, 1860, registered at Police Station City Jagraon, District Ludhiana (Annexure P-1), on the basis of Panchayati Compromise/Agreement dated 30.06.2023 (Annexure P-6) arrived at between the parties.

[2] Learned counsel for the petitioner contends that the FIR was registered at the instance of respondent No.2-wife on account of a misunderstanding. The matter has now been amicably settled and the parties have executed compromise dated 30.06.2023 (Annexure P-6). It is further contended that the payment of cost of Rs.10,000/-, as ordered by the co-ordinate Bench of this Court vide order dated 02.08.2023, has been deposited by the petitioner. Copy of the receipt is submitted in the Court today which is taken on record. The parties have put an end to all their

grudges and they are happily residing together as husband and wife. Respondent

No.2-wife does not want to pursue the FIR and she has no objection if the FIR is quashed.

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

[4] On 02.08.2023, 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 29.08.2023, received from the Sub-Divisional Judicial Magistrate, Jagraon, through the District & Sessions Judge, Ludhiana, compromise effected between the parties is genuine, voluntary and without any coercion or undue influence. The petitioner has not been declared as “Proclaimed Offender” and he is not involved in any other criminal case.

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

[7] Keeping in view the facts and circumstances of the case and 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.78 dated 12.05.2023, under Sections 366, 376 IPC, 1860, registered at Police Station City Jagraon, District Ludhiana (Annexure P-1) and all the subsequent proceedings emanating therefrom are ordered to be quashed, qua the petitioner.

[9] However, the respondent No.2-wife and the State shall be at liberty to seek cancellation of this order, in case the final terms and conditions of compromise dated 30.06.2023 (Annexure P-6) are violated.

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

(HARPREET KAUR JEEWAN)
JUDGE

13th March, 2024
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<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>