



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

279

CRM-M-35039-2024 (O&M)
Date of decision: 11.11.2024

BALJINDER HANDA AND ORS

...Petitioners

Versus

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present : Mr. Gursewak Singh, Advocate
for the petitioners.

Ms. Jasdeep Singh, DAG, Punjab.

Mr. Ripu Daman Singh, Advocate
for respondent No.2.

HARPREET KAUR JEEWAN , J.

[1] The present petition has been filed under Section 482 Cr.P.C for quashing of FIR No.153 dated 15.08.2022, under Sections 406 and 498-A IPC registered at Police Station Vairoke, District Fazilka (Annexure P-1), on the basis of compromise deed dated 08.07.2024 (Annexure P-2) executed between the parties.

[2] Learned counsel for the petitioners contends that the FIR was registered at the instance of respondent No.2 on account of a matrimonial dispute between parties. He further contends that the matter has been settled between the parties and compromise deed dated 08.07.2024 (Annexure P-2) has been executed between them. The petitioner No.1-husband and respondent No.2-wife have



decided to dissolve their marriage by way of filing a petition 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] On 25.07.2024, 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 20.08.2024 received from Judicial Magistrate 1st Class, Jalalabad (W) forwarded through the office of District and Sessions Judge, Fazilka, compromise effected between the parties is genuine, voluntary and without any coercion or undue influence. The petitioners have not been declared as 'Proclaimed offenders'.

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

[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.153 dated 15.08.2022, under Sections 406 and 498-A IPC registered at Police Station Vairoke, District Fazilka (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 (Annexure P-2) are violated.

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

(HARPREET KAUR JEEWAN)
JUDGE

11.11.2024
P.Bhatt

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