



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

282+283

CRM-M-39730-2024 (O&M)
Date of decision: 11.11.2024

PRADUTT SINGH BALI

...Petitioner

Versus

STATE OF PUNJAB AND ANR

...Respondents

CRM-M-44969-2024 (O&M)

AMIT BALI AND ANR

...Petitioners

Versus

STATE OF PUNJAB AND ANR

...Respondents

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present : Mr. G.S. Sawhney, Advocate
for the petitioner(s).

Ms. Jasdeep Singh, DAG, Punjab.

Ms. Sulochana Borah, Advocate
for respondent No.2.

HARPREET KAUR JEEWAN , J.

[1] By this common order, this Court shall decide the above-mentioned two criminal miscellaneous petitions.

[2] The present petitions have been filed under Section 482 Cr.P.C. now 528 BNSS, 2023 for quashing of FIR No.22 dated 05.04.2024, under Sections 406

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and 498-A IPC registered at Police Station NRI, Police Commissionerate Ludhiana (Annexures P-2/T & P-1/T), on the basis of compromise executed between the parties.

[3] Learned counsel for the petitioner(s) 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 has been executed between them, as such, respondent No.2 does not want to take any action in the FIR.

[4] Learned counsel for respondent No.2 confirms about the factum of compromise between the parties.

[5] On 20.08.2024 and 12.09.2024, the parties were directed to appear before the trial Court/Illaq Magistrate for recording of their statements regarding the compromise.

[6] As per the report dated 24.10.2024 received from Judicial Magistrate 1st Class, Ludhiana forwarded through the office of District and Sessions Judge, Ludhiana, statements of the parties (petitioner-Pradutt Singh Bali through special power of attorney) have been recorded. The 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] Learned State counsel has not raised any objection regarding the acceptance of the present petitions.

[8] 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.



[9] 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.

[10] Consequently, both the petitions are allowed and FIR No.22 dated 05.04.2024, under Sections 406 and 498-A IPC registered at Police Station NRI, Police Commissionerate Ludhiana (Annexures P-2/T & P-1/T) and all the subsequent proceedings emanating therefrom are ordered to be quashed, qua the petitioners.

[11] 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.

[12] 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