

283 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-42958-2023 (O&M)
Date of Decision: 21.03.2024

HARPAL SINGH AND OTHERS ... PETITIONERS

V/S

STATE OF PUNJAB AND ANOTHER ... RESPONDENTS

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

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

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

Mr. Randeep Singh, Advocate for
Mr. Sukhdev Singh, Advocate for respondent No.2.

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HARPREET KAUR JEEWAN, J. (ORAL)

[1] The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No. 0075 dated 13.03.2020 registered at Police Station City Tarn Taran, District Tarn Taran, under Sections 498-A, 406, 325, 323 & 506 IPC on the basis of compromise dated 21.11.2022 (Annexure P-2) between the parties.

[2] Learned counsel for the petitioners *inter alia* contends that the present FIR has been got registered due to a dispute arisen out of some misunderstanding between petitioner No.1-husband and respondent No.2-complainant-wife and with the intervention of the respectables, they have resolved their dispute amicably and the said compromise would promote peaceful, harmonious and cordial relations between the petitioners and respondent No.2. The marriage of petitioner No.1 and respondent No.2 has been dissolved by a decree of divorce by mutual consent under Section 13-B

17.01.2023 passed by the learned Principle Judge, Family Court, Tarn Taran.

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

[4] On 29.08.2023, the parties were directed to appear before the trial Court/Illaqa Magistrate for recording of their statements regarding the compromise.

[5] As per the report dated 26.09.2023, received from the Chief Judicial Magistrate, Tarn Taran, the compromise effected between the parties is genuine, voluntary and without any coercion or undue influence. The petitioners have not been declared as “Proclaimed Offender” and they are 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, 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. 0075 dated 13.03.2020 registered at Police Station City Tarn Taran, District Tarn Taran, under Sections 498-A, 406, 325, 323 & 506 IPC and all the subsequent proceedings emanating therefrom are ordered to be quashed, qua the

petitioners.

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

21.03.2024
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(HARPREET KAUR JEEWAN)
JUDGE

Whether speaking/reasoned : Yes/No ;
Whether reportable : Yes/No