

SUKHCHAIN SINGH AND ANOTHER

... PETITIONERS

V/S

STATE OF PUNJAB AND ANOTHER

... RESPONDENTS

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Yogesh Kumar Aneja, Advocate for the petitioners.
Mr. Davinder Bir Singh, Sr. DAG, Punjab.
Mr. Suresh Kumar Aneja, 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.57 dated 10.09.2021, registered at Police Station Amir Khas, Tehsil Jalalabad, District Fazilka under Sections 498-A, 323 and 34 of the IPC, on the basis of compromise dated 24.07.2023 (Annexure-P-2) between the parties.

[2] Learned counsel for the petitioners contends that the FIR was registered at the instance of respondent No.2-wife on account of a matrimonial dispute between petitioner No.1 and respondent No.2.

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

[4] On 29.11.2023, 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 21.12.2023, received from the learned Judicial Magistrate First Class, Jalalabad (West), 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”.

[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. 57 dated 10.09.2021, registered at Police Station Amir Khas, Tehsil Jalalabad, District Fazilka under Sections 498-A, 323 and 34 of the IPC, and all the subsequent proceedings emanating therefrom are ordered to be quashed, qua the petitioners.

[9] However, respondent No.2-Paramjeet Kaur and the State shall be at liberty to seek cancellation of this order, in case the final terms and conditions of compromise dated 24.07.2023 are violated.

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

13.03.2024

Janki

(HARPREET KAUR JEEWAN)
JUDGE

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