



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

289

CRM-M-40957-2024 (O&M)
Date of decision: 19.11.2024

AMANDEEP

...Petitioner

Versus

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present : Mr. Tarun Singla, Advocate
for the petitioner.

Mr. Jasdeep Singh, DAG, Punjab.

Mr. Ritesh Aggarwal, Advocate
for the respondent No.2.

HARPREET KAUR JEEWAN , J.

[1] The present petition has been filed under Section 528 BNSS for quashing of FIR No.127 dated 18.03.2021, under Sections 498-A, 406 IPC registered at Police Station City Barnala, District Barnala (Annexure P-1), on the basis of compromise deed dated 29.07.2024 (Annexure P-2) executed between the parties at Mediation and Conciliation Centre of this Court.

[2] Learned counsel for the petitioner contends that the FIR was registered at the instance of respondent No.2 on account of a matrimonial dispute between parties. The matter has been settled between the parties and compromise deed dated 29.07.2024 (Annexure P-2) has been executed between them, as such,



CRM-M-40957-2024 (O&M) - 2-

respondent No.2 does not want to take any action in the FIR.

[3] Learned counsel for the petitioner has submitted a demand draft bearing No.063757 dated 07.11.2024 in favour of Tanvir-respondent No.2 amounting to Rs.4 lakhs, in the Court today, which has been accepted by learned counsel appearing on behalf of respondent No.2. Copy of the said demand draft is also submitted in the Court today, which is taken on record.

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

[5] On 23.08.2024, 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 11.11.2024 received from Judicial Magistrate 1st Class, Barnala forwarded through the office of District and Sessions Judge, Barnala, compromise effected between the parties is genuine, voluntary and without any coercion or undue influence. The petitioner has not been declared as 'proclaimed offender'.

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

[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, this petition is allowed and FIR No.127 dated 18.03.2021, under Sections 498-A, 406 IPC registered at Police Station City Barnala, District Barnala (Annexure P-1) and all the subsequent proceedings emanating therefrom are ordered to be quashed, qua the petitioner.

[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 (Annexure P-2) are violated.

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

(HARPREET KAUR JEEWAN)
JUDGE

19.11.2024
P.Bhatt

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