



CRM-M-44001-2023 (O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-44001-2023 (O&M)

DATE OF DECISION: 14.10.2024

HARPAL SINGH AND OTHERS

.....PETITIONERS

Vs.

STATE OF PUNJAB AND ANOTHER

.....RESPONDENTS

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Deepak Arora, Advocate,
for the petitioners.Mr. Davinder Bir Singh, Sr. D.A.G., Punjab.
for respondent No. 1-State.Mr. G.S. Rawat, Advocate,
for respondent No. 2.

HARPREET KAUR JEEWAN, J. (ORAL)

1. The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No. 44 dated 02.05.2022, registered at Police Station Rangar Nangal, Tehsil Batala, District Gurdaspur, under Sections 498-A and 406 of the IPC, on the basis of a compromise effected between the parties.

2. Learned counsel for the petitioners *inter alia* contends that the matrimonial dispute between the parties stands settled. Harpal Singh-petitioner No. 1 (husband) and Manjinder Kaur-respondent No. 2 (wife) are happily living together and they have resumed co-habitation. It is also submitted that respondent No. 2-complainant does not want to take any



action against the petitioners in the present FIR.

3. Learned counsel for the State has informed that the matter is still under investigation. He has further informed that all the petitioners have joined the investigation, in terms of the order passed by this Court.

4. Learned counsel appearing on behalf of respondent No.2 has confirmed the factum of compromise between the parties and submits that he has no objection if the present FIR against the present petitioners is quashed. He further submits that the statements of petitioners No. 1 to 3 have been recorded before the trial Court. However, petitioner No. 4- Kamaljit Kaur has subsequently gone abroad since the matter was compromised, as such could not appear before the trial Court for recording of the statement. However, respondent No. 2-complainant has no objection if the present petition is accepted qua all the petitioners.

5. On 18.04.2024, 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 15.06.2024, received from the Civil Judge (Junior Division)-cum JMIC, Batala, through the District & Sessions Judge, Gurdaspur, 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 are not involved in any other criminal case. As per the report, neither any offence has been added nor deleted during the investigation.

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



8. The matrimonial dispute between the parties stands settled. In view the above, no useful purpose would be served to continue with the prosecution of the petitioners in the instant FIR.

9. Keeping in view the above 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. 44 dated 02.05.2022, registered at Police Station Rangar Nangal, Tehsil Batala, District Gurdaspur, under Sections 498-A and 406 of the IPC and all the subsequent proceedings emanating therefrom are ordered to be quashed, qua the petitioner.

11. However, the respondent No.2-Manjinder Kaur and the State shall be at liberty to seek cancellation of this order, in case the final terms and conditions of compromise are violated.

OCTOBER 14, 2024
nitin

(HARPREET KAUR JEEWAN)
JUDGE

Whether Speaking	Yes
Whether Reportable	No