

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-46994-2023 (O&M)
Date of decision: 09.01.2024

SAHIL

...Petitioner

Versus

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present : Mr. B.S. Jolly, Advocate
for the petitioner.

Mr. Kunwarbir Singh, AAG, Punjab.

Mr. Sunil, 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.0031 dated 21.05.2023 registered at Police Station Women Cell, District SAS Nagar, Mohali under Sections 406, 498-A of the IPC on the basis of compromise effected between the parties.

[2] Learned counsel for the petitioner *inter alia* contends that the petitioner-Sahil and respondent No.2-Sakshi Ahuja were married to each other. Due to a matrimonial dispute, the present FIR was registered. He further contends that the matrimonial dispute has been resolved between the petitioner and respondent No.2 by way of process of mediation in the Mediation and Conciliation Centre, SAS Nagar, Mohali and the settlement/agreement (Annexure P-2) was signed by both the parties in the presence of the Mediator. He submits that the parties have filed a joint petition for divorce under Section 13-B of the

Hindu Marriage Act, 1955 and respondent No.2 does not want to take any action in the present FIR.

[3] Learned counsel appearing on behalf of respondent No.2 has confirmed the factum of compromise between the parties and receipt of amount of Rs. 20 lakhs by the respondent No.2 as mentioned in the settlement/agreement.

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

[5] The Hon'ble Apex Court in *Gian Singh Versus State of Punjab (SC) 2012 (4) RCR (Criminal) 543*, has observed that in order to secure the ends of justice or to prevent the abuse of the process of Court, this Court can use inherent powers to quash the criminal proceedings in which compromise has been effected.

[6] Since it was a matrimonial dispute and now the parties have settled the same by mutually arriving to a compromise and since they have decided to mutually end the litigation and also filed petition for dissolution of their matrimonial ties under Section 13-B of the Hindu Marriage Act, 1955, as such, further continuing with the present FIR is not in the interest of the parties. This Court feels that in order to secure the ends of justice, the criminal proceedings deserve to be quashed.

[7] Consequently, this petition is allowed and FIR No.0031 dated 21.05.2023 registered at Police Station Women Cell, District SAS Nagar, Mohali under Sections 406, 498-A of the IPC and all the subsequent proceedings emanating therefrom are ordered to be quashed, qua the petitioner. However, the respondent No.2-wife and State shall be at liberty to seek cancellation of this order in case the final terms and conditions of the compromise deed (Annexure P-3) are violated.

[8] All pending miscellaneous application(s), if any, stands disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

09.01.2024

P.Bhatt	Whether speaking/reasoned	Yes/No
	Whether reportable	Yes/No