

**261 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-54517-2021 (O&M)

Date of decision: 08.01.2024

MANPREET SINGH AND OTHERS

.....Petitioners

versus

STATE OF PUNJAB AND ANOTHER

.....Respondents

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Chander Shekhar, Advocate
for the petitioners.

Mr. Kunwarbir Singh, AAG, Punjab.

Mr. Naveen S. Attri, Advocate
for respondent No.2/complainant.

HARPREET KAUR JEEWAN, J. (ORAL)

1. The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.67 dated 07.07.2017, under Sections 498-A, 406 and 323 IPC, registered at Women Police Station, District Patiala (Annexure P-1), on the basis of compromise dated 28.09.2021 (Annexure P-2), between the parties.
2. It is contended on behalf of the petitioner that compromise has been effected between the parties. Petitioner No.1-husband and respondent No.2-wife are living together as husband and wife. Respondent No.2 does not want to take any action against the petitioner.
3. Learned counsel appearing on behalf of respondent No.2/complainant has confirmed the factum of compromise between the parties.
4. As per order dated 03.03.2023, the parties were directed to appear before the trial Court/Illaq Magistrate for recording of their statements regarding the compromise.

5. The report dated 28.04.2023 of the Judicial Magistrate, Ist Class, Patiala through the District & Sessions Judge, Patiala, has been received. As per said report, the compromise between the parties is genuine. The relevant portion of the said report reads as under:

“(i) Complainant in the present case is Kamla Devi and accused are Manpreet Singh, Gurdev Singh and Sukhwinder Kaur. All the parties of the present case have been appeared in the court and got recorded their respective statements with regard to compromise arrived at between them.

(ii) In the present case or any other case, neither of the accused have been declared as proclaimed offender.

(iii) The trial is at the stage of prosecution evidence.

(iv) The compromise so arrived at between the parties is genuine, voluntarily, without any threat, fear, influence or coercion and out of free will.”

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

7. Hon'ble the Full Bench of this Court in **Kulwinder Singh and others vs. State of Punjab and others 2007 (3) RCR (Criminal) 1052**, has held that the High Court has power under Section 482 Cr.P.C. to allow the compounding of non-compoundable offences and quash the proceeding where the High Court is of the opinion that it is required to prevent the abuse of process of law or otherwise to secure the ends of justice.

8. The matter has been settled between the parties. Since the parties are living together as husband and wife and respondent No.2-wife does not want to take any action against the petitioner-husband, this Court feels that in order to secure the ends of justice, the criminal proceedings deserve to be quashed.

9. Consequently, this petition is allowed and FIR No.67 dated 07.07.2017, under Sections 498-A, 406 and 323 IPC, registered at Women Police Station, District Patiala (Annexure P-1) and all the subsequent proceedings emanating therefrom are ordered to be quashed, qua the petitioner.

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

(HARPREET KAUR JEEWAN)
JUDGE

08.01.2024
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Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No