



**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-43830-2019 (O&M)
Date of Decision:-19.9.2024

Gurbachan Singh and another ... Petitioners
Versus
Sarabjit Kaur and another ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Navkesh Singh Goraya, Advocate,
for the petitioners.

Mr. Jeevan Gautam, Advocate for respondent No.1.

Mr. Prabhdeep Singh Dhaliwal, AAG, Punjab.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioners seek quashing of Criminal Complaint No.COM/38340/17 dated 6.10.2017 titled 'State through Reader Versus Gurbachan Singh and another' (Annexure P-3) under Sections 191 and 193 of Indian Penal Code and all subsequent proceedings emanating therefrom on the basis of a compromise stated to have been effected between the parties.
2. Learned counsel for the petitioners submitted that it is a case arising out of matrimonial discord between petitioner No.1 – Gurbachan Singh and his wife i.e. respondent No.1 – Sarabjit Kaur, which has now been amicably resolved and the parties have parted ways by way of divorce by mutual consent.
3. Vide order dated 16.10.2019, the parties had been directed to appear before the Trial Court/Area Judicial Magistrate so as to get their statements recorded qua the factum of compromise.



- 4. Report of learned Chief Judicial Magistrate, Ludhiana has been received, wherein it has been reported that statements of petitioners/accused Gurbachan Singh, Surinder Kaur and also of respondent No.1 namely Sarabjit Kaur have been recorded to the effect that they have compromised the matter amongst themselves.
- 5. Respondent No.1 namely Sarabjit Kaur in her statement has stated that she has no objection in case criminal complaint in question is quashed.
- 6. Learned Chief Judicial Magistrate, Ludhiana has specifically opined that the parties have entered into compromise voluntarily and without any undue influence.
- 7. In view of the aforesaid compromise and bearing in mind the law laid down by Full Bench of this Court in 2007(3) RCR (Crl.) 1052 Kulwinder Singh and others Vs. State of Punjab, the present petition is allowed and Criminal Complaint No.COM/38340/17 dated 6.10.2017 titled ‘State through Reader Versus Gurbachan Singh and another’ (Annexure P-3) under Sections 191 and 193 of Indian Penal Code and all subsequent proceedings emanating therefrom are hereby quashed qua petitioners.

19.9.2024
Pankaj

(Gurvinder Singh Gill)
Judge

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