

SUKHWINDER SINGH AND ANOTHER ... PETITIONERS
V/S

STATE OF PUNJAB AND ANOTHER ... RESPONDENTS

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. S.S.Bedi, Advocate for the petitioners.
Mr. Davinder Bir Singh, Sr. DAG, Punjab.
Mr. Ravinder Singh, Advocate for
Mr. Manmeet Singh, Advocate for respondent No.2.
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HARPREET KAUR JEEWAN, J. (ORAL)

[1] The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.007 dated 10.12.2020, registered at Police Station NRI, District Amritsar Rural under Sections 498-A and 406 of the IPC on the basis of compromise (Annexure P-2) between the parties.

[2] Learned counsel for the petitioners contends that the FIR was registered at the instance of respondent No.2-wife on account of a matrimonial dispute which stands resolved now. A petition under Section 13-B of the Hindu Marriage Act has already been filed.

[3] Learned counsel appearing on behalf of respondent No. 2 has confirmed the factum of compromise between the parties.

[4] On 11.12.2023, the parties were directed to appear before the trial Court/Illaq Magistrate for recording of their statements regarding the compromise.

[5] As per the report dated 05.03.2024, received from the learned Judicial Magistrate First Class, Amritsar through the District & Sessions Judge, Amritsar, the 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 they are not involved in any other criminal case.

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

[7] Keeping in view the facts and circumstances of the case, 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.

[8] Consequently, this petition is allowed and FIR No.007 dated 10.12.2020, registered at Police Station NRI, District Amritsar Rural under Sections 498-A and 406 of the IPC and all the subsequent proceedings emanating therefrom are ordered to be quashed, qua the petitioners.

[9] However, respondent No.2-Sumeet Kaur and the State shall be at liberty to seek cancellation of this order, in case the final terms and conditions of compromise deed, Annexure P-2 are violated.

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

13.03.2024

Janki

(HARPREET KAUR JEEWAN)
JUDGE