

MANPREET SINGH SACHDEVA

... PETITIONER

V/S

STATE OF PUNJAB AND ANOTHER

... RESPONDENTS

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Ms. Aayushi Jindal, Advocate for
Mr. Umesh Aggarwal, Advocate for the petitioner.
Mr. Davinder Bir Singh, Sr. DAG, Punjab.
Mr. Prateek Sodhi, 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.66 dated 28.07.2023, under Section 498-A IPC, registered at Police Station Women, Police Commissionerate Amritsar on the basis of compromise (Annexure P-2) between the parties.

[2] Learned counsel for the petitioner contends that the FIR was registered at the instance of respondent No.2-wife on account of a matrimonial dispute. They have filed a joint petition under Section 13-B of the Hindu Marriage Act (Annexure P-2), as per which both the parties have settled their claims mutually and nothing remains due between the parties.

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

[4] On 06.10.2023, 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 21.11.2023, received from 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 petitioner has not been declared as “Proclaimed Offender” and he is 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. 66 dated 28.07.2023, under Section 498-A IPC, registered at Police Station Women, Police Commissionerate Amritsar and all the subsequent proceedings emanating therefrom are ordered to be quashed, qua the petitioner.

[9] However, respondent No.2-Jeniya Sachdeva and the State shall be at liberty to seek cancellation of this order, in case the final terms and conditions of compromise, 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

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