

Sr. No.206

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

**CRM-M-53995-2022
Date of decision: 09th May, 2024**

**BIKRAMJEET SINGH @ VIKRAMJIT SINGH
AND ANOTHER** **.....Petitioners**

versus

STATE OF PUNJAB AND ANOTHER **.....Respondents**

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Davinder Singh Saini, Advocate
for the petitioners.

Ms. Himani Arora, A.A.G., Punjab.

Mr. Randhir Singh, Advocate
for respondent No.2/complainant.

HARPREET KAUR JEEWAN, J. (ORAL)

[1] The present petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.32 dated 19.05.2021, under Sections 406, 498-A IPC, 1860, registered at Police Station Singh Bhagwantpur, District Rupnagar (Annexure P-1), on the basis of compromise deed dated 01.11.2022 (Annexure P-2) executed between the parties.

[2] Learned counsel for the petitioners contends that the FIR was registered at the instance of respondent No.2 on account of a matrimonial dispute *inter se* the petitioner and respondent No.2. However, with the intervention of the respectables, the matter has now been amicably settled and the parties have executed compromise deed dated 01.11.2022 (Annexure P-2). The parties have decided to part ways and a joint divorce petition under Section 13-B of the Hindu Marriage Act, 1955 has already been filed by them.

Respondent No.2 does not want to pursue the FIR and she has no objection if the FIR is quashed.

[4] On 18.04.2023, 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 08.06.2023, received from the Judicial Magistrate, Ist Class, Rupnagar, through the District & Sessions Judge, Rupnagar, 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] The matrimonial dispute *inter se* the parties stands settled. Keeping in view 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, the present petition is allowed and FIR No.32 dated 19.05.2021, under Sections 406, 498-A IPC, 1860, registered at Police Station Singh Bhagwantpur, District Rupnagar (Annexure P-1) and all the subsequent proceedings emanating therefrom are ordered to be quashed, qua the petitioners.

[9] However, the respondent No.2 and the State shall be at liberty to seek cancellation of this order, in case the final terms and conditions of compromise deed dated 01.11.2022 (Annexure P-2) are violated.

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

(HARPREET KAUR JEEWAN)
JUDGE

09th May, 2024
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***Whether speaking/reasoned* : Yes/No**
***Whether reportable* : Yes/No**