

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

315

CRM-M-52168-2023 (O&M)

Date of decision: 24.01.2024

INDERPAL SEKHON

...Petitioner

Versus

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present : Mr. H.S. Sandhu, Advocate for
Mr. Nandan Jindal, Advocate
for the petitioners.

Mr. Kunwarbir Singh, AAG, Punjab.

Mr. Tushar Sabherwal, Advocate for
Mr. Abhinandan Jindal, Advocate
for respondent No.2.

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.0058 dated 31.07.2019 registered at Women Police Station, Patiala, District Patiala under Sections 406, 498-A of the IPC on the basis of compromise dated 05.10.2023 (Annexure P-2) effected between the parties.

[2] Learned counsel for the petitioner *inter alia* contends that the petitioner-Inderpal Sekhon and respondent No.2-Pushpinder Kaur were married to each other. Due to a matrimonial dispute, the present FIR was registered. He further contends that the matrimonial dispute has been resolved between the petitioner and respondent No.2 by way of effecting a compromise dated

05.10.2023 (Annexure P-2) signed by both the parties. He submits that respondent No.2 does not want to take any action in the present FIR.

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

4] As per order dated 13.10.2023 passed by the Coordinate Bench of this Court, the parties were directed to appear before the CJM/trial Court/Illaq Magistrate for recording of their statements and their report from the said Court was sought regarding genuineness of the compromise.

[5] As per the report dated 06.12.2023 of Court of Ms. Harkamal Kaur, Judicial Magistrate Ist Class, Patiala, statements of petitioner and complainant-respondent No.2 as well as Investigating Officer-ASI Mandeep Kaur have been recorded. No accused has been declared as Proclaimed Offender in this case. She has submitted that the compromise is genuine and voluntary without any force or undue influence. No case is pending against the petitioner except the present case. There is only one victim/complainant and the compromise is supported by her.

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

[7] The Hon'ble Apex Court in **Gian Singh Versus State of Punjab (SC) 2012 (4) RCR (Criminal) 543**, has observed that in order to secure the ends of justice or to prevent the abuse of the process of Court, this Court can use inherent powers to quash the criminal proceedings in which compromise has been effected.

[8] Since it was a matrimonial dispute and now the parties have settled the same by mutually arriving to a compromise and they have decided to mutually end the litigation, as such, further continuing with the present FIR is not in the interest of the parties. 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.0058 dated 31.07.2019 registered at Women Police Station, Patiala, District Patiala under Sections 406, 498-A of the IPC and all the subsequent proceedings emanating therefrom are ordered to be quashed, qua the petitioner.

[10] All pending miscellaneous application(s), if any, stands disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

24.01.2024

P.Bhatt

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No