

Sr. No.305

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-52341-2023
Date of decision: 03rd April, 2024

TAJINDER SINGHPetitioner

versus

STATE OF PUNJAB AND ANOTHERRespondents

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Shivroop Singh Dhaliwal, Advocate
for the petitioner.

Mr. Davinder Bir Singh, Sr. DAG, Punjab.

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.72 dated 25.06.2016, under Sections 406, 498-A IPC, registered at Police Station Kartarpur, District Jalandhar, Rural (Annexure P-1) and all subsequent proceedings arising therefrom, on the basis of compromise deed dated 28.08.2023 (Annexure P-2) arrived at 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. However, with the intervention of the respectables, the matter has now been amicably settled and the parties have executed compromise deed dated 28.08.2023 (Annexure P-2). As per the compromise the parties are living together as husband and wife. Respondent No.2-wife does not want to pursue the FIR and she has no objection if the FIR is quashed.

[3] On 05.03.2024, the parties were directed to appear before the trial Court/Illqa Magistrate for recording of their statements regarding the compromise.

[5] As per the report dated 22.03.2024, received from the Judicial Magistrate, Ist Class, Jalandhar, through the District & Sessions Judge, Jalandhar,

compromise effected between the parties appears to be 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] The matrimonial dispute *inter se* the parties has been amicably resolved and the parties are happily living together. The compromise between the parties is genuine and voluntarily made. 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.72 dated 25.06.2016, under Sections 406, 498-A IPC, registered at Police Station Kartarpur, District Jalandhar, Rural (Annexure P-1) and all the subsequent proceedings emanating therefrom are ordered to be quashed, qua the petitioner.

[9] However, the respondent No.2-wife and the State shall be at liberty to seek cancellation of this order, in case the final terms and conditions of compromise dated 28.08.2023 (Annexure P-2) are violated.

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

(HARPREET KAUR JEEWAN)
JUDGE

03rd April, 2024
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Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No