

ANIL GUPTA AND OTHERS

... PETITIONERS

V/S

STATE OF PUNJAB AND ANOTHER

... RESPONDENTS

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Arun Abrol, Advocate for the petitioners.

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

Mr. Dinesh Mahajan, 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.0108 dated 15.09.2016, registered under Sections 498-A, 406, 120-B IPC, at Police Station Dinanagar, District Gurdaspur on the basis of compromise dated 01.11.2022 (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 on account of personal dispute between respondent No.2 and her father-in-law, mother-in-law and brother-in-law. Now the said dispute has been amicably settled between the parties. The parties are members of the same family and amicable settlement will help in maintaining cordial relations between them in future.

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

[4] On 01.03.2023, the parties were directed to appear before the trial Court/Illaqa Magistrate for recording of their statements regarding the

compromise.

[5] As per the report of learned Judicial Magistrate First Class, Gurdaspur dated 04.07.2023, 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. 0108 dated 15.09.2016, registered under Sections 498-A, 406, 120-B IPC, at Police Station Dinanagar, District Gurdaspur and all the subsequent proceedings emanating therefrom are ordered to be quashed, qua the petitioners.

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

19.03.2024

Janki

(HARPREET KAUR JEEWAN)
JUDGE

Whether speaking/reasoned : Yes/No ;

Whether reportable : Yes/No