

CRM-M-57433-2023 (O&M) - 1 -

2024 : PHHC : 062746

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IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-57433-2023 (O&M)

Date of Decision: 06.05.2024

SARBJEET SINGH AND ANOTHER

... PETITIONERS

V/S

STATE OF PUNJAB AND ANOTHER

... RESPONDENTS

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. G.S.Jagpal, Advocate for the petitioners.  
Mr. Davinder Bir Singh, Sr. DAG, Punjab.  
Mr. G.S.Bains, 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.52 dated 27.11.2020, registered at Police Station Women, District Ludhiana, under Sections 498-A and 120-B IPC and all the consequential proceedings arising therefrom on the basis of a compromise deed dated 02.08.2023 (Annexure P-3) executed between the parties.

[2] Learned counsel for the petitioners *inter alia* contends that the FIR was registered at the instance of respondent No. 2 due to matrimonial dispute, which stands resolved now. The FIR was registered against the petitioners and Bhinder Kaur. However, Bhinder Kaur had expired on 30.01.2021. The copy of death certificate of Bhinder Kaur is Annexure P-2. The marriage of petitioner No.1 was solemnized with respondent No.2 on 14.07.2016, but no child has been born from the wedlock. The matrimonial dispute has been amicably settled between the parties in terms of compromise, Annexure P-3. The petitioner No.1 and respondent No.2 have instituted a petition under Section 13-B of the Hindu Marriage Act for

dissolution of marriage by mutual consent in the learned Family Court at Ludhiana wherein statements of the parties at the stage of first motion have been recorded. The entire claim of respondent No.2 for permanent alimony and istridhan have been settled. No other case is pending between the parties.

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

[4] On 22.02.2024, 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 dated 03.05.2024, received from the learned Judicial Magistrate First Class, Ludhiana 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”.

[6] Learned State counsel has not raised any objection regarding the acceptance of the present petition and has confirmed this fact that decree of divorce has also been passed by the Family Court. No dispute is left *inter se* the parties.

[7] The matrimonial dispute between 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, this petition is allowed and FIR No. 52 dated 27.11.2020, registered at Police Station Women, District Ludhiana, under Sections 498-A and 120-B IPC and all the subsequent proceedings emanating therefrom are ordered to be quashed, qua the petitioners.

[9] However, 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 dated 02.08.2023 are violated.

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

**06.05.2024**

Janki

**(HARPREET KAUR JEEWAN)**

**JUDGE**

*Whether speaking/reasoned : Yes/No*

*Whether reportable : Yes/No*