

Sr. No.309

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

CRM-M-58924-2023
Date of decision: 01st April, 2024

GURPREET SINGH AND OTHERS**Petitioners**

versus

STATE OF PUNJAB AND ANOTHER**Respondents**

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Nitin Narula, Advocate
for the petitioners.

Mr. Ramandeep Singh, Sr. DAG, Punjab.

Mr. Sandeep Sharma, 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.129 dated 25.12.2018, under Sections 498-A IPC, 1860 and DDR/GD No.22 dated 02.03.2020, under Sections 406, 199, 200, 12-B of IPC, registered at Police Station Raja Sansi, District Amritsar Rural (Annexures P-1 and P-2) and consequential proceedings arising therefrom on the basis of compromise deed dated 18.11.2023 (Annexure P-3) arrived at between the parties.

[2] Learned counsel for the petitioner *inter alia* contends that the present FIR was registered on account of a matrimonial dispute *inter se* petitioner No.1 and respondent No.2. Petitioner No.2 is the father-in-law, petitioner No.3 is the mother-in-law and petitioners No.4 and 5 are the sisters-in-law of respondent No.2. Petitioner No.1 and respondent No.2 have already filed a joint divorce petition under Section 13-B of the Hindu Marriage Act, 1955, which has been allowed and

decree of divorce dated 23.02.2024 has been passed by the Family Court, Ajnala. Respondent No.2 does not want to pursue the FIR and she has no objection if the FIR is quashed.

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

[4] On 23.11.2023, 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 29.02.2024, received from the Sub-Divisional Judicial Magistrate, Ajnala, statements of complainant Kirandeep Kaur; Joga Singh (attorney holder of petitioner-Gurpreet Singh); petitioners - Jasbir Kaur, Jagdip Kaur, Harpreet Kaur and ASI Sukhwant Singh, Police Station Raja Sansi, have been recorded. It has been further reported that the compromise arrived at between the parties is genuine and the parties are not involved in any other case. No other person is involved in the present case except the petitioners. During the investigation, no additional accused has been added and none of the accused has been declared as "Proclaimed Offender".

[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 and 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

[8] Consequently, the present petition is allowed and FIR No.129 dated 25.12.2018, under Sections 498-A IPC, 1860 and DDR/GD No.22 dated 02.03.2020, under Sections 406, 199, 200, 12-B of IPC, registered at Police Station Raja Sansi, District Amritsar Rural (Annexures P-1 and P-2) 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 18.11.2023 (Annexure P-3) are violated.

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

(HARPREET KAUR JEEWAN)
JUDGE

01st April, 2024
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<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>