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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-59392-2023 (O&M)

Date of Decision: 22.03.2024

RAMAN KUMAR

... PETITIONER

V/S

STATE OF PUNJAB AND ANOTHER

... RESPONDENTS

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Aman Pratap Singh, Advocate for the petitioner.
Mr. Ramandeep Singh, Sr. DA.G., Punjab.
Mr. L.S.Lakhanpal, Advocate for respondent No.2.
* * *

HARPREET KAUR JEEWAN, J. (ORAL)

[1] The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.0155 dated 17.05.2023, registered at Police Station Civil Lines, Batala, under Section 498-A IPC, 1860 and all the subsequent proceedings arising therefrom on the basis of the Settlement Agreement dated 06.10.2023 (Annexure P-2) effected between the parties

[2] Learned counsel for the petitioner contends that the FIR was registered at the instance of respondent No.2 on account of a matrimonial dispute between petitioner No.1 and respondent No.2. The said dispute has now been amicably settled between the parties in the Mediation and Conciliation Center of this Court. The parties have mutually agreed to part ways by getting a decree of divorce under Section 13-B of the Hindu Marriage Act.

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

[4] On 16.01.2024, 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 02.02.2024, received from the learned Judicial Magistrate First Class, Batala, the compromise effected between the parties is genuine, voluntary and without any coercion or undue influence. The petitioner has not 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, 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. 0155, dated 17.05.2023, registered at Police Station Civil Lines, Batala, under Section 498-A IPC and all the subsequent proceedings emanating therefrom are ordered to be quashed, qua the petitioner.

[9] However, respondent No.2-Meena Rani and the State shall be at liberty to seek cancellation of this order, in case the final terms and conditions of Settlement Agreement dated 06.10.2023 are violated.

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

22.03.2024

Janki

(HARPREET KAUR JEEWAN)
JUDGE

Whether speaking/reasoned : Yes/No ;
Whether reportable : Yes/No