



Sr. No.342

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

**CRM-M-60919-2023 (O&M)
Date of decision: 30th September 2024**

SAKATTAR SINGH ALIAS SONUPetitioner

versus

STATE OF PUNJAB AND ANRRespondents

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. G.S. Bawa, Advocate
for the petitioner.

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

HARPREET KAUR JEEWAN, J. (ORAL)

1. The instant petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.45 dated 20.09.2016, under Section 498-A IPC, 1860, registered at Police Station Women, District Amritsar City (Annexure P-1) and all subsequent proceedings arising therefrom, on the basis of settlement between the parties, which is reflected in the judgment and decree dated 25.10.2023 (Annexure P-2), passed by the Family Court, Amritsar in a joint petition filed by the petitioner and respondent No.2 under Section 13-B of the Hindu Marriage Act, 1955.
2. This Court, vide order dated 04.12.2023, had directed the parties to appear before the trial Court to get their statements recorded and the learned Magistrate was directed to send its report qua the genuineness of the compromise.
3. Pursuant to the aforesaid order, the parties have appeared before the Judicial Magistrate Ist Class, Amritsar and got their statements recorded. On the basis of the statements so recorded, the learned Magistrate has submitted report



“xxx xxx xxx xxx

i) As per the statement of the IO, both the complainant/injured/victim and the accused are party to the settlement.

ii) As per the statement of the IO, during investigation, no additional accused has been added.

iii) As per the statement of the IO, the accused is not a proclaimed offender in the present case.

iv) As per the statement of the IO, after the registration of the FIR, no offence was added or deleted during investigation.

After perusing the statements of the parties, this Court is satisfied that the compromise between the petitioner and the respondent is genuine, voluntary and without any coercion or undue influence.

xxx xxx xxx xxx”

4. Learned State counsel has not disputed the factum of compromise between the parties.

5. In view of the above, no useful purpose would be served to continue with the proceedings before the trial Court in the instant FIR.

6. Following the principles laid down by the Full Bench judgment of this Court in “**Kulwinder Singh and others Versus State of Punjab and another 2007**” (3) RCR (Criminal) 1052 and approved by the Hon'ble Supreme Court in “**Gian Singh Versus State of Punjab and others**” (2012) 10 SCC 303, the present petition is allowed and FIR No.45 dated 20.09.2016, under Section 498-A IPC, 1860, registered at Police Station Women, District Amritsar City (Annexure P-1) and all subsequent proceedings arising therefrom are ordered to be quashed qua the petitioner.

7. However, the respondent No.2/complainant and the State shall be at liberty to seek cancellation of this order, in case the final terms and conditions of



8. Pending miscellaneous application(s), if any, shall also stand disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

30th September 2024
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<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>