

336 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-61464-2023 (O&M)
Date of Decision: 15.04.2024

SUKHWINDER SINGH

... PETITIONER

V/S

STATE OF PUNJAB AND ANOTHER

... RESPONDENTS

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. G.S. Saini, Advocate, for the petitioner.
Mr. Rishabh Singla, AAG Punjab.
Mr. Balraj Singh Sidhu, 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.0145 dated 21.07.2022, registered at Police Station Kharar, District SAS Nagar, Mohali under Section 498-A of the IPC, on the basis of compromise through mediation dated 14.03.2023 (Annexure P-2) executed between the parties.

[2] Learned counsel for the petitioner *inter alia* contends that the FIR was registered on account of the matrimonial dispute between the petitioner and respondent No. 2 which stands resolved at the Mediation and Conciliation Centre of this Court. The marriage of petitioner-Sukhwinder Singh and respondent No.2-Sandeep Kaur has been dissolved under Section 13-B of the Hindu Marriage Act, 1955 by Family Court, Kharar vide judgment dated 04.10.2023 (Annexure P-3).

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

[4] On 08.12.2023, 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 06.02.2024, received from the learned

Judicial Magistrate First Class, Kharar 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”. No other case is pending against him.

[6] Learned State counsel has not raised any objection regarding the acceptance of the present petition.

[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. 0145 dated 21.07.2022, registered at Police Station Kharar, District SAS Nagar, Mohali under Section 498-A of the IPC and all the subsequent proceedings emanating therefrom are ordered to be quashed, qua the petitioner.

[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 14.03.2023 are violated.

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

15.04.2024

Janki

(HARPREET KAUR JEEWAN)

JUDGE