IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

323

CRM-M-61551-2023 (O&M)

Date of Decision: 27.05.2024

AMARDEEP

... PETITIONER

V/S

STATE OF UT CHANDIGARH & ANOTHER ... RESPONDENTS

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Anshuman Pandey, Advocate for
Mr. Karan Dev Sharma, Advocate for the petitioner.
Mr. Gurjeet Singh Saini, Advocate for
Mr. Charanjit Singh Bakhshi, A.P.P for U.T., Chandigarh.
Ms. Mamta Rani, Advocate for respondent No.2.

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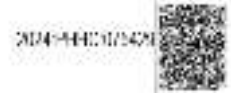
HARPREET KAUR JEEWAN, J. (ORAL)

[1] The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.147 dated 03.11.2019 under Section 498-A IPC registered at Women Police Station, Sector-17, Chandigarh and all consequential proceedings arising therefrom on the basis of the compromise deed dated 16.09.2022 (Annexure P-2) executed between the parties.

[2] Learned counsel for the petitioner *inter alia* contends that the FIR was registered by respondent No.2 on account of the matrimonial dispute, which stands resolved now. The petitioner and respondent No. 2 have decided to part ways and agreed to dissolve their marriage by filing a petition for divorce with mutual consent. Both the parties have also undertaken to withdraw the cases filed against each other.

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

[4] On 07.12.2023, 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 10.05.2024 received from the Judicial Magistrate 1st Class, Chandigarh 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] 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.147 dated 03.11.2019 under Section 498-A IPC registered at Women Police Station, Sector-17, Chandigarh 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 16.09.2022 are violated.

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

27.05.2024

Janki

(HARPREET KAUR JEEWAN)

JUDGE