

Sr. No.293

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

CRM-M-64756-2023
Date of decision: 01st April, 2024

HARDEEP SINGH**Petitioner**

versus

STATE OF PUNJAB AND ANOTHER**Respondents**

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Jagdish Singh Mahal, Advocate
for the petitioner.

Mr. Ramandeep Singh, Sr. DAG, Punjab.

Mr. Gobind Singh Randhawa, 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.51 dated 27.06.2022, under Section 498-A of the IPC, registered at Police Station Kalanaur, District Gurdaspur (Annexure P-1), on the basis of compromise dated 12.12.2023 (Annexure P-2) arrived at between the parties.

[2] Learned counsel for the petitioner contends that the FIR was registered at the instance of respondent No.2-wife on account of a matrimonial dispute. However, with the intervention of the respectables, the matter has now been amicably settled and the parties have executed compromise dated 12.12.2023 (Annexure P-2). As per the compromise, the parties have decided to part ways and a joint divorce petition under Section 13-B of the Hindu Marriage Act, 1955, has also been filed before the learned Family Court. Respondent No.2-wife does not want to pursue the FIR and she has no objection if the FIR is quashed.

[3] Mr. Gobind Singh Randhawa, Advocate has caused appearance on behalf of respondent No.2 and filed his power of attorney, which is taken on record. He has confirmed the factum of compromise between the parties.

[4] On 24.01.2024, 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 19.02.2024, received from the Judicial Magistrate, Ist Class, Gurdaspur, through the District & Sessions Judge, Gurdaspur, compromise effected between the parties is genuine, voluntary and without any coercion or undue influence. The petitioner has not been declared as “Proclaimed Offender” and he is not involved in any other criminal case.

[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 parties.

[8] Consequently, this petition is allowed and FIR No.51 dated 27.06.2022, under Section 498-A of the IPC, registered at Police Station Kalanaur, District Gurdaspur (Annexure P-1) and all the subsequent proceedings emanating therefrom are ordered to be quashed, qua the petitioner.

[9] However, the respondent No.2-wife and the State shall be at liberty to seek cancellation of this order, in case the final terms and conditions of compromise dated 12.12.2023 (Annexure P-2) 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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Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No