



CRM-M-3740-2025

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

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CRM-M-3740-2025

Date of decision : 26.05.2025

Silas

..... Petitioner

V/S

State of Punjab and Anr.

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. Sarabjit Singh, Advocate for petitioner.

Ms. Amrit Kaur Mahir, AAG, Punjab.

Mr. Nishant Chauhan, Advocate for
Ms. Geetika Rani, Advocate for respondent No.2.

AMARJOT BHATTI J. (ORAL)

1. Petitioner- Silas filed this petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of FIR No.29 dated 09.05.2024, registered under Section 498-A of IPC 1860, at Police Station Woman, District Amritsar (Annexure P-1), in light of the compromise effected between the parties dated 17.12.2024 (Annexure P-2).

2. As per facts of the case, complainant Asiya Sahota filed written complaint against her husband Silas @ Sam and other members of in-laws family alleging that her marriage was performed on 20.06.2023 with Silas @ Sam. For about two months their relationship remained cordial and thereafter, he started fighting with her. She filed a complaint to the Commissioner and thereafter, matter was settled and she was taken back in the matrimonial home. Her in-laws family was to come from Delhi in connection with compromise dated 07.02.2024. On 11.02.2024, her husband along with his uncle's son and friend came in drunkard condition during night time and created scene. He even slapped her.



She was frightened. The matter remained pending and they were making excuses. In fact, they wanted to take divorce from her. Thereafter, she filed this complaint on the basis of which matter was enquired and present FIR was registered.

3. Petitioner filed this petition for quashing of aforesaid FIR on the basis of compromise. Vide order dated 23.01.2025, petitioner and respondent No.2 were directed to appear before the trial Court/Illaq Magistrate for recording their statements on the basis of compromise. Detailed report regarding compromise has been received from the court of Judicial Magistrate Ist Class, Amritsar dated 18.03.2025. Statement of respondent No.2 has been recorded where she confirmed the compromise with petitioner. She confirmed that this compromise has been effected voluntarily and without any coercion and undue influence and she has no objection regarding quashing of FIR.

Learned counsel representing State has already filed status report through Registry, which is taken on record.

4. Petitioner- Silas also confirmed this fact in his separate statement. Statement of ASI Kuldeep Singh is also recorded who confirmed that petitioner is not involved or declared as proclaimed offender in any other criminal case.

5. Therefore, from the report of Judicial Magistrate Ist Class, Amritsar, it is clear that compromise has been effected between the parties without any pressure, coercion or undue influence. They have mutually settled all their claims arisen from matrimonial dispute. They have decided to part ways by filing joint petition under Section 13-B of Hindu Marriage Act. Matter has been settled in Rs.1,25,000/-. Thereafter, they will be able to live independently in peace and harmony. No purpose would be served with the continuation of criminal proceedings.



6. Gainful reference can be made to the judgment of Larger Bench of Five Judges of this High Court cited in **2007(3) R.C.R. (Criminal) 1052 tilted as Kulwinder Singh and Ors. Vs. State of Punjab and Anr.,** where it was explained that ‘there can never be any hard and fast category which can be prescribed to enable the court to exercise its power under Section 482 of Cr.P.C. The only principle that can be laid down is the one which has been incorporated in the section itself i.e. to prevent abuse of the process of any court or to secure the ends of justice.’

7. Therefore, by relying upon the ratio of the aforesaid judgment, no purpose would be served with the continuation of criminal proceedings. Considering these facts, the petition filed by the petitioner is accepted and FIR No.29 dated 09.05.2024, registered under Section 498-A of IPC 1860, at Police Station Woman, District Amritsar (Annexure P-1) is quashed qua petitioner.

(AMARJOT BHATTI)
JUDGE

26.05.2025.

Sunil Devi

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No