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

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CRM-M-5047-2025

Date of decision : 27.05.2025

Swaran Singh and Ors.

..... Petitioners

V/S

State of Punjab and Anr.

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. Akshay Chadha, Advocate for petitioners.

Ms. Amrit Kaur Mahir, AAG, Punjab.

Ms. Bhumika Sachan, Advocate for
Mr. Shivam Grover, Advocate for respondent No.2.

AMARJOT BHATTI J. (ORAL)

1. Petitioners- Swaran Singh, Amrita Singh and Sunamar Vir Singh filed instant petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of FIR No.79 dated 09.10.2024, registered under Sections 406 and 498-A of IPC, at Police Station Division NRI Ludhiana (Annexure P-1) and all subsequent proceedings arising therefrom, qua the petitioners, in the light of compromise effected between the parties dated 24.01.2025 (Annexure P-2).

2. As per facts of the case, complainant Gurleen Kaur alias Gurleen Kaur Boparai filed written complaint against her husband Sunamar Vir Singh and other members of in-laws family alleging that she and her husband Sunamar Vir Singh had studied together under NRI quota at Guru Angad Dev Veterinary Sciences University (GADVASU). They developed liking for each other. They completed their degree in 2022. Over a period of time both families were well acquainted with each other. They got engaged on 19.03.2021 and finally their marriage took place on 28.11.2021. Complainant has given detail of gold rings,



shagun amount and other gifts given at the time of engagement ceremony as well as at the time of marriage. Her parents had spent Rs.35/36 Lacs on her marriage. Initially, they stayed together at Ludhiana. Since the accused were not having a house in America, there was demand of \$1,50,000 (USD) from her parents and Mercedes-Benz luxury car. The dispute started between husband and wife. She has given detail of incidents which took place during her stay with her husband in India. Her husband used to come late under the influence of liquor. She was taunted by her in-laws on minor issues. They were insisting on their demand. Finally, her husband went to America by leaving her in India. Matter was discussed. Accused No.3 assured to take her to America and she also reached there on 22.06.2022. They started residing in a rented house. The accused Nos.1 to 3 continued to harass her on account of their unjust demands. With the permission of accused persons she had gone to Canada along with her mother. There was no change in the attitude of her in-laws family. The accused persons tried to turn her out from the matrimonial home forcibly. She had no place to go, therefore, she locked herself in a room. She informed her father about the situation who further informed the police. She was compelled to give divorce to accused No.1. There was constant threat to turn her out from the matrimonial home. Finally, the present FIR has been registered.

3. Petitioners filed this petition for quashing of aforesaid FIR on the basis of compromise. Vide order dated 19.03.2025, petitioners and respondent No.2 were directed to appear before the trial Court/Illaq Magistrate for recording their statements on the basis of compromise (statements of petitioners No.2 & 3 were ordered to be recorded through video conferencing). Detailed report regarding compromise has been received from the court of Judicial Magistrate Ist Class, Ludhiana dated 19.04.2025. Statement of respondent No.2



has been recorded where she confirmed the compromise with petitioners. 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.

4. Petitioners- Sunamar Vir Singh and Amrita Singh confirmed this fact in their separate statements recorded through video conferencing and petitioner- Swaran Singh also confirmed the compromise in his separate statement recorded in person. Statement of ASI Amrik Singh is also recorded who confirmed that petitioners are not involved or declared as proclaimed offenders in any other criminal case.

5. Therefore, from the report of Judicial Magistrate Ist Class, Ludhiana, 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.1,25,00,000/-. 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.’



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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 petitioners is accepted and FIR No.79 dated 09.10.2024, registered under Sections 406 and 498-A of IPC, at Police Station Division NRI Ludhiana (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua petitioners.

(AMARJOT BHATTI)
JUDGE

27.05.2025.

Sunil Devi

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