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

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Date of decision : 19.05.2025

Narender Singh Aluna

..... Petitioner

V/S

State of Punjab and Anr.

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. Gagandeep Singh Simble, Advocate for petitioner.

Ms. Gurpreet Kaur Sarabha, AAG, Punjab.

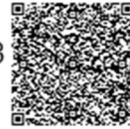
Mr. Pratula Sethi, Advocate for respondent No.2.

AMARJOT BHATTI J. (ORAL)

1. Petitioner-Narender Singh Aluna filed instant petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of FIR No.47 dated 11.06.2022, registered under Section 498-A of IPC 1860, at Police Station Bhaini Mian Khan, District Gurdaspur (Annexure P-1) and all subsequent proceedings arising therefrom, qua the petitioner, in light of the compromise effected between the parties dated 09.01.2025 (Annexure P-2).

Mr. Pratula Sethi, Advocate appeared on behalf of respondent No.2 and filed vakalatnama after taking no objection from earlier counsel, which is taken on record.

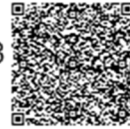
2. As per facts of the case, complainant Manpreet Kaur filed written complaint against her husband Narender Singh Aluna and other members of the

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in-laws family. It is alleged that her marriage was performed with Narender Singh Aluna on 21.04.2015 at Gurdaspur. Her parents had given gold ornaments and other gifts for her and her in-laws family. At the instance of in-laws family marriage function was performed at Phulkari Resort. She was given cash of Rs.5 Lacs at the time of marriage. During this entire period she has not been given any expenses. She is being forced to bring money from her parents. She has given detail of dowry articles given to her at the time of marriage. She was living in her parental house since 14.07.2021. Her mother took her to her in-laws house on 06.01.2022 but she was not permitted to enter the house. Since then, she is residing in her parental house and taking care of her son. With these allegations, present FIR has been registered.

3. Petitioner filed this petition for quashing of aforesaid FIR on the basis of compromise. Vide order dated 30.01.2025, 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, Gurdaspur dated 10.03.2025. 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.

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



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5. Therefore, from the report of Judicial Magistrate Ist Class, Gurdaspur, 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. 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.47 dated 11.06.2022, registered under Section 498-A of IPC 1860, at Police Station Bhaini Mian Khan, District Gurdaspur (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua petitioner.

(AMARJOT BHATTI)
JUDGE

19.05.2025.

Sunil Devi

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