



CRM-M-6602-2024

-1-

227

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

**CRM-M-6602-2024
Date of Decision: 04.07.2025**

Richard Dean

..... Petitioner

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Kabir Vadhera, Advocate
for the petitioner.

Mr. G.S. Bhullar, AAG, Punjab.

Mr. Rahul Bansal, Advocate
for respondent No.2.

JASGURPREET SINGH PURI, J. (ORAL)

1. The present petition has been filed under Section 482 of the Code of Criminal Procedure for quashing of the FIR bearing No.10, dated 12.03.2019, under Sections 406 & 498-A IPC, registered at Police Station Women Cell, SAS Nagar, Mohali (Annexure P-1) along with all the consequential proceedings arising therefrom, on the basis of compromise (Annexure P-2) arrived at between the petitioner and the complainant.

2. Learned counsel for the petitioner submitted that the present dispute arose between the petitioner and respondent No.2 which is a matrimonial dispute and consequent upon the same, the present FIR was got registered against the petitioner vide Annexure P-1 but thereafter with the intervention of the respectables, the matter has now been compromised between the parties vide Annexure P-2. He further submitted that the entire



alimony has also been paid to respondent No.2/wife and a decree of divorce under Section 13-B of the Hindu Marriage Act has also been passed based upon compromise vide judgment dated 24.11.2024.

3. Learned counsel for the petitioner further submitted that in pursuance of the orders dated 08.02.2024 and also on 21.05.2024, the petitioner and respondent No.2 have appeared before learned trial Court/Illaq Magistrate for getting their statements recorded pertaining to the genuineness and voluntariness of the compromise between them. He also submitted that the petitioner is the only accused in the present case and respondent No.2 is the only aggrieved person. He further submitted that once the matrimonial dispute has already been resolved between the parties which has also resulted in passing of a decree of divorce by mutual consent under Section 13-B of the Hindu Marriage Act, no useful purpose will be served in case further proceedings are carried on. Therefore, the impugned FIR may be quashed based upon compromise.

4. On the other hand, Mr. G.S Bhullar, AAG, Punjab has submitted that the dispute is essentially a matrimonial dispute between the parties and since the parties have amicably resolved their dispute, appropriate orders may be passed in this regard.

5. Mr. Rahul Bansal, learned counsel for respondent No.2/complainant has submitted that respondent No.2/complainant has received the entire alimony and a decree of divorce under Section 13-B of the Hindu Marriage Act has also been passed and she has already got recorded her statement before learned Chief Judicial Magistrate-cum-Additional Civil Judge (Senior Division), SAS Nagar, Mohali and she has no objection in case the



present FIR is quashed in view of the aforesaid compromise arrived at between the parties.

6. I have heard the learned counsels for the parties.

7. The present impugned FIR has been lodged under Sections 406 & 498-A IPC as a result of matrimonial dispute between the petitioner/husband and respondent No.2/wife and with the intervention of respectables, the matter has been compromised vide Annexure P-2. In pursuance of the orders dated 08.02.2024 and 21.05.2024, the parties have got recorded their statements before learned Chief Judicial Magistrate-cum-Additional Civil Judge (Senior Division), SAS Nagar, Mohali and in this regard a report dated 06.06.2024 has been received from learned CJM, SAS Nagar, Mohali, in which, it has been so stated that the petitioner is the only accused and respondent No.2/complainant is the only aggrieved person and it has been further reported that in view of the statement of the parties i.e. the petitioner and respondent No.2/complainant, a compromise has been effected between them and the same is genuine, voluntary and without any coercion or undue influence.

8. The law with regard to the quashing of the FIR on the basis of compromise is no longer *res integra*. Hon'ble Supreme Court in "*State of Madhya Pradesh Vs. Laxmi Narayan and others*", 2019(2) SCC (Crl.) 706 and also in "*Gian Singh Vs. State of Punjab and another*", 2013(1) SCC (Crl.) 160 and Full Bench judgment of this Court in "*Kulwinder Singh and others Vs. State of Punjab* 2007 (3) R.C.R. (Criminal) 1052," held that it will be in the interest of justice and to secure the ends of justice, the FIR can be quashed based upon compromise, especially in view of the fact that the subject matter does not pertain to any serious or heinous offence.



CRM-M-6602-2024

-4-

9. After hearing the learned counsels for the parties and perusing the report sent by learned Chief Judicial Magistrate-cum-Additional Civil Judge (Senior Division), SAS Nagar, Mohali dated 06.06.2024, this Court is satisfied that since the subject matter of the present petition is essentially a matrimonial dispute and even a decree of divorce under Section 13-B of the Hindu Marriage Act has also been passed and the matter entirely stands settled between the parties, it will not be just and proper for the parties to face prosecution. Therefore, this Court is of the considered view that it is a fit case for quashing of the FIR based upon compromise being essentially a matrimonial dispute.

11. Consequently, the present petition is allowed and FIR bearing No.10, dated 12.03.2019, under Sections 406 & 498-A IPC, registered at Police Station Women Cell, SAS Nagar, Mohali (Annexure P-1) with all consequential proceedings arising therefrom, is hereby quashed on the basis of compromise *qua* the present petitioner.

04.07.2025
Bhumika

(JASGURPREET SINGH PURI)
JUDGE

1. Whether speaking/reasoned:	Yes/No
2. Whether reportable:	Yes/No