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

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Date of decision : 12.05.2025

Baljinder Singh

..... Petitioner

V/S

State of Punjab and Anr.

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Ms. Amarjot Kaur, Advocate for petitioner.

Ms. Gurpreet Kaur Sarabha, AAG, Punjab.

Mr. Sidharth Sehgal, Advocate for respondent No.2.

AMARJOT BHATTI J. (ORAL)

1. Petitioner-Baljinder Singh filed this petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of FIR No.0068 dated 22.08.2021, registered under Sections 406, 498-A of IPC, at Police Station Women Cell, District Amritsar (Annexure P-1) on the basis of compromise deed dated 09.01.2025 (Annexure P-2).

2. As per facts of the case, complainant Amanpreet Kaur filed written complaint against her husband Baljinder Singh and other members of in-laws family alleging that her marriage was performed with Baljinder Singh on 20.01.2013. Her parents had given dowry beyond their capacity. Her parents had given Bullet motorcycle, Ford Figo car and other dowry articles. Soon after marriage, her in-laws along with her husband started raising demand for cash of Rs.4 Lacs. Her parents had already spent huge money on marriage, therefore, it was beyond their capacity to give cash amount. Even then, her father arranged Rs.1.50 Lacs and gave it to them. After some time, she realized that her husband

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was addicted to drugs. She disclosed this fact to her mother-in-law who did not pay any heed to this fact. There remained quarrel in the matrimonial home. She was beaten up by her husband and he started selling her dowry articles. Panchayat was also convened. Even thereafter, there was no change in their behaviour. Again on 05.10.2017, there was demand of money for sending her husband to Dubai. She brought Rs.2 Lacs from her father and gave it to them. On 20.11.2017, her husband went to Dubai and returned back on 25.11.2018. He again repeated his previous behaviour. Finally, she came to her parental house in 2019. 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 03.03.2025, 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 05.05.2025. 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- Baljinder Singh also confirmed this fact in his separate statement. Statement of ASI Ashok Kumar 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



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arisen from matrimonial dispute. They have decided to part ways and filed joint petition under Section 13-B of Hindu Marriage Act, in which first motion statements have been recorded on 11.12.2024. 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.0068 dated 22.08.2021, registered under Sections 406, 498-A of IPC, at Police Station Women Cell, District Amritsar (Annexure P-1) is quashed qua petitioner.

(AMARJOT BHATTI)
JUDGE

12.05.2025.

Sunil Devi

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