

CRM-M-39442-2024

-1-

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

275

CRM-M-39442-2024

Date of decision : 27.05.2025

Gurpreet Singh

..... Petitioner

V/S

State of Punjab and Anr.

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. S.S.Swaich, Advocate with
Ms. Ishani Goyal, Advocate for petitioner.

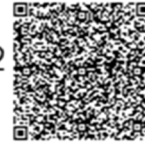
Ms. Amrit Kaur Mahir, AAG, Punjab.

Ms. Deepa Negi, Advocate for respondent No.2.

AMARJOT BHATTI J. (ORAL)

1. Petitioner- Gurpreet Singh filed this petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of FIR No.69 dated 01.10.2023, registered under Sections 406, 498-A of IPC 1860, at Police Station Women, District Police Commissionerate Ludhiana (Annexure P-1) and all subsequent proceedings arising therefrom, in light of the compromise effected between the parties dated 23.01.2024 (Annexure P-2).

2. As per facts of the case, complainant Sheetal Kaur filed written complaint that her marriage was performed with Gurpreet Singh on 22.04.2015. Her parents had given sufficient dowry beyond their capacity. After about 1 ½ month of her marriage, her husband and in-laws pressurized her to bring black



CRM-M-39442-2024

-2-

coloured Swift car from her parents. They also complained that her parents had not given gold *kara*. The complainant explained her inability to satisfy their demand. On the instigation of her in-laws, her husband gave her beating. Her parents took her in the parental house and thereafter, she was again sent back to the matrimonial home after 15 days. During this period, she conceived, even then she was illtreated and beaten up by her husband. Her father-in-law raised demand of Rs.6 Lacs from her father in case they wanted to rehabilitate her in the matrimonial home. Matter was also discussed by the family members. They organized a meeting in a Gurudwara but her husband was under the influence of liquor. She gave birth to a son on 03.08.2016. She was admitted in CMC Hospital for delivery. Her husband and in-laws came along with unknown persons and tried to take away her child forcibly. There was no change in their behaviour. She was taken back against the medical advice. The maltreatment continued. Complaints were also filed to the higher authorities. Finally, the present FIR was registered.

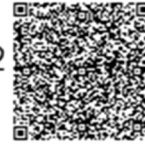
3. Petitioner filed this petition for quashing of aforesaid FIR on the basis of compromise. Vide order dated 30.01.2025, petitioner and respondent No.2 were directed to appear before the trial Court/Illaq Magistrate for recording their statements on the basis of compromise. Detailed report regarding compromise has been received from the court of Judicial Magistrate Ist Class, Ludhiana dated 04.03.2025. 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- Gurpreet Singh also confirmed this fact in his separate statement. Statement of SI Raghuvir 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, 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.18,00,000/- out of which Rs.9,00,000/- are to be paid by petitioner to complainant at the time of recording of first motion statements and balance amount of Rs.9,00,000/- will be paid at the time of recording of second motion statements. 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.’



CRM-M-39442-2024

-4-

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.69 dated 01.10.2023, registered under Sections 406, 498-A of IPC 1860, at Police Station Women, District Police Commissionerate Ludhiana (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua petitioner.

(AMARJOT BHATTI)
JUDGE

27.05.2025.*Sunil Devi*

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