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

**CRM-M-43272-2023 (O&M)
Date of decision: 02.04.2025**

SUKHCHAIN SINGH AND OTHERS

...Petitioner(s)

VERSUS

STATE OF PUNJAB AND ANOTHER

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. P. P. S. Brar, Advocate for the petitioners.

Mr. Jasjit Singh, DAG, Punjab.

Mr. Rudresh, Advocate for
Mr. Ramandeep Singh, 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 FIR No.19 dated 17.03.2021, under Sections 313, 498-A, 323, 506 and 34 of the IPC, registered at Police Station Sadiq, District Faridkot, Punjab, alongwith all other consequential proceedings arising therefrom, on the basis of compromise (Annexure P-2).

2. Learned counsel for the petitioners submitted that the aforesaid FIR was registered on the basis of the statement made by respondent No.2-wife against the present three petitioners, who were the only accused in the present case. He further submitted that the dispute arose because of a matrimonial dispute between petitioner No.1 and respondent No.2 but during the pendency of the trial and at the stage of the prosecution witness evidence, the matter has been amicably settled between the parties with the intervention of the



respectables and in pursuance of the same, the present petition has been filed for quashing of the FIR based upon compromise. He further submitted that in pursuance of the order passed by this Court on 26.11.2024, the parties were directed to appear before the learned trial Court/Illaq Magistrate for recording their statements with regard to the authenticity of compromise, to which they have already got their statements recorded before the learned trial Court/Illaq Magistrate and their statements have been recorded. He further submitted that even otherwise also, the marriage between petitioner No.1 and respondent No.2 has already been dissolved by a decree of divorce by way of mutual consent under Section 13-B of the Hindu Marriage Act, 1955 on 27.03.2024 and apart from the above, respondent No.2-wife has also thereafter got re-married to some other person and is happily residing with him. He also submitted that since the subject matter of the present dispute does not fall in the category of any serious or heinous offence, no useful purpose will be served in case further prosecution is carried on and therefore, the FIR may be quashed on the basis of compromise.

3. On the other hand, Mr. Jasjit Singh, DAG, Punjab submitted that the parties have got their statements recorded before the learned trial Court/Illaq Magistrate and therefore, any appropriate orders may be passed in accordance with law.

4. Learned counsel appearing on behalf of respondent No.2 submitted that he has specific instructions from respondent No.2 to state that the matter has been amicably settled between the parties and she has no objection in case the present FIR is quashed based upon compromise.

5. I have heard learned counsels for the parties.



6. The prayer in the present petition is for quashing of FIR based upon compromise and it is a matrimonial dispute between petitioner No.1 and respondent No.2 and the present FIR was got registered under Sections 313, 498-A, 323, 506 and 34 of the IPC. Vide order dated 26.11.2024, the parties were directed to appear before the learned trial Court/Illaq Magistrate for getting their statements recorded with regard to as to whether the compromise was effected without any undue influence or coercion or not and on various other issues. In pursuance thereof, a report has been received from the learned Additional District & Sessions Judge, Faridkot dated 17.02.2025, wherein it has been stated that as per the statement of the Investigating Officer, there is only one complainant, who is respondent No.2 in the present case and there are three accused persons, who are the petitioners in the present case. It has also been stated in the aforesaid report that none of the petitioners has been declared as proclaimed offender and the statements have been recorded voluntarily and with their own will and discretion, without any pressure or coercion and the same appears to be genuine. It has been further stated by the learned Additional District & Sessions Judge, Faridkot that as per the statement of the Investigating Officer, respondent No.2-wife, who is the complainant is the only victim in the present FIR and the petitioners are not involved in any other FIR.

7. Hon'ble Supreme Court in *State of Madhya Pradesh versus Laxmi Narayan and others, 2019(2) SCC (Crl.) 706* and also in *Gian Singh versus State of Punjab and another, 2013 (1) SCC (Crl.) 160* and Full Bench judgment of this Court in *Kulwinder Singh and others versus State of Punjab, 2007 (3) R.C.R.(Criminal) 1052* held that where the offence does not fall in the category of any serious or heinous offence and the Court is satisfied that



considering the facts and circumstances of the case, it will not be in the interest of justice to continue with the prosecution, then FIR can be quashed on the basis of compromise.

8. After hearing the learned counsels for the parties and perusing the aforesaid report dated 17.02.2025 sent by the learned Additional District & Sessions Judge, Faridkot, this Court is of the considered view that since the subject matter of the present dispute does not fall in the category of any serious or heinous offence and the matrimonial dispute stands resolved between between petitioner No.1 and respondent No.2, further continuation of criminal proceedings against the petitioners would not be in the interest of justice and therefore, it is a fit case for quashing the present FIR based upon the compromise. Not only this, as per the learned counsels for the parties, a decree of divorce by way of mutual consent under Section 13-B of the Hindu Marriage Act, 1955 has already been passed, wherein the dispute has been settled between petitioner No.1 and respondent No.2 and thereafter, respondent No.2-wife has also re-married to some other person.

9. Consequently, the present petition is allowed. The impugned FIR No.19 dated 17.03.2021, under Sections 313, 498-A, 323, 506 and 34 of the IPC, registered at Police Station Sadiq, District Faridkot, Punjab, alongwith all other consequential proceedings arising therefrom are hereby quashed, on the basis of compromise (Annexure P-2), qua the petitioners.

(JASGURPREET SINGH PURI)
JUDGE

02.04.2025
Chetan Thakur

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No