



CRM-M-47272-2024

-1-

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

273

CRM-M-47272-2024

Date of decision : 25.03.2025

Sandeep Singh

..... Petitioner

V/S

State of Punjab and Anr.

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. Abhishek Thakur, Advocate for petitioner.

Mr. Baljinder Singh, DAG, Punjab.

Ms. Navjot Kaur, Advocate for
respondent No.2.

AMARJOT BHATTI J. (ORAL)

1. Petitioner- Sandeep Singh has filed instant 2nd petition under Section 482 of Cr.P.C. for quashing of FIR No.144 dated 01.12.2019, under Sections 498-A, 406 and 323 of IPC, registered at Police Station Division No.2, District Pathankot (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise (Annexure P-3).

2. As per facts of the case, complainant Arti Kaur @ Aarti filed written complaint against her husband Sandeep Singh and other members of in-laws family alleging that her marriage took place with Sandeep Singh on 28.11.2018. Her parents had given sufficient dowry by spending Rs.5,00,000/- on marriage. She started residing in the matrimonial home. From the very beginning her husband Sandeep Singh in connivance with his parents used to beat her on account of his demand for dowry. She was compelled to bring a motorcycle and cash of Rs.50,000/- from her parents. During this period, she became pregnant.

**CRM-M-47272-2024****-2-**

Nobody was happy with her pregnancy and she was forced to abort the child. She was not permitted to meet her parents. Matter came before Gram Panchayat Shaheed Bhagat Singh Nagar and the matter was compromised. After few days of compromise, her husband and in-laws family repeated their previous behaviour. Finally, she came to her parental house and the matter was reported to the police. Since 29.06.2019, she is living in her parental house. Out of this wedlock, a female child was born on 26.11.2019.

3. Petitioner filed this petition for quashing of aforesaid FIR on the basis of compromise. Vide order dated 23.09.2024, 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, Pathankot dated 28.10.2024. Statement of respondent No.2 has been recorded where she confirmed the compromise with petitioners. She confirmed that this compromise has been effected voluntarily, without any coercion or undue influence and she has no objection regarding quashing of FIR.

4. Petitioner- Sandeep Singh also confirmed this fact in his separate statement. Statement of ASI Thakur Bandana 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, Pathankot, 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



CRM-M-47272-2024

-3-

been settled in Rs.1,00,000/- out of which Rs.50,000/- were already paid by petitioner to complainant and balance amount of Rs.50,000/- 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.’

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.144 dated 01.12.2019, under Sections 498-A, 406 and 323 of IPC, registered at Police Station Division No.2, District Pathankot (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua petitioner.

(AMARJOT BHATTI)
JUDGE

25.03.2025.

Sunil Devi

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