



CRM-M-48326-2024

-1-

252

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

CRM-M-48326-2024

Date of Decision: 03.07.2025

Hardeep Kumar

..... Petitioner

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Mohit Shukla, Advocate
for the petitioner.

Mr. Karunesh Kaushal, AAG, Punjab.

Mr. Rupender Singh Rana, Advocate
for respondent No.2.

JASGURPREET SINGH PURI, J. (ORAL)

1. The present petition has been filed under Section 528 of BNSS, 2023 for quashing of the FIR bearing No.0054, dated 22.08.2022, under Sections 406 & 498-A IPC, registered at Police Station Women Patiala, District Patiala (Annexure P-1) along with all the consequential proceedings arising therefrom, on the basis of compromise by way of affidavits dated 21.09.2024 and 19.09.2024 (Annexures P-3 & P-4).

2. Learned counsel for the petitioner submitted that in the present case the marriage of the petitioner with respondent No.2 took place on 20.10.2021 and no child was born out of the said wedlock. Thereafter a matrimonial discord took place between the parties and the present FIR was lodged under Sections 406 & 498-A IPC. He further submitted that with the intervention of the respectables an amicable settlement has been arrived at



between the parties and in pursuance of the order dated 26.09.2024, the parties have appeared before learned JMIC, Patiala and have got their statements recorded before the Court in which it has been so stated that the compromise has been effected without any coercion or undue influence and voluntarily. He also submitted that the dispute in the present case is purely a matrimonial dispute which has now been settled and even a petition under Section 13-B of the Hindu Marriage Act for dissolution of marriage by mutual consent was filed and a decree of divorce has already been granted on 23.10.2024 and the entire alimony of ₹13,00,000/- (Rupees Thirteen Lacs only) has also been paid to respondent No.2/wife. He further submitted that considering the aforesaid facts and circumstances, no useful purpose will be served in case further proceedings are carried on. Therefore, the FIR may be quashed based upon compromise.

3. On the other hand, Mr. Karunesh Kaushal, AAG, Punjab has submitted that the main dispute between the parties is only a matrimonial dispute and therefore, the State has no objection in case the present FIR is quashed as both the parties have compromised the matter.

4. Mr. Rupender Singh Rana, learned counsel for respondent No.2/complainant has submitted that respondent No.2 is the wife and with the intervention of the respectables, the matter has been amicably settled between the petitioner and respondent No.2/complainant and rather in pursuance of the order dated 26.09.2024 the statement of respondent No.2 has already been recorded before learned JMIC, Patiala and she has no objection in case the present FIR is quashed. He further submitted that it is correct that the entire alimony amount has been received by respondent No.2 and a decree of divorce



under Section 13-B of the Hindu Marriage Act has also been passed.

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

6. The present is a case where the petitioner, who is the husband has filed the present petition for quashing of the FIR based upon compromise. The present FIR is arising out of a matrimonial dispute between the parties. A Co-ordinate Bench of this Court vide order dated 26.09.2024 had directed learned trial Court/Illaq Magistrate for getting the statements of the parties recorded regarding the compromise arrived at between them. Report dated 24.10.2024 has been received from learned Judicial Magistrate Ist Class, Patiala, in which, it has been so stated that the petitioner and respondent No.2/complainant have got their statements recorded and it has been reported that there is only one accused in the present FIR and no accused has been declared proclaimed offender and further it has been so stated in the report that as per statement of the parties, compromise is genuine and has been freely entered into between the parties without any undue influence, coercion or pressure of any kind as ascertained from them while recording their settlement.

7. The law with regard to 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-48326-2024

-4-

8. The present is a case where the FIR is relating to a matrimonial dispute between the parties in which both the parties have compromised the matter and even a decree of divorce under Section 13-B of the Hindu Marriage Act based upon compromise has also been passed as per the learned counsels for the parties. As per the report of learned JMIC, Patiala the compromise entered into between the parties is genuine and without any undue influence or coercion. Therefore, this Court is satisfied that considering the subject matter of the FIR which is purely a matrimonial dispute, no useful purpose will be served in case further proceedings are carried on otherwise it will result into a miscarriage of justice.

9. Consequently, the present petition is allowed and FIR bearing No.0054, dated 22.08.2022, under Sections 406 & 498-A IPC, registered at Police Station Women Patiala, District Patiala (Annexure P-1) with all consequential proceedings arising therefrom, is hereby quashed on the basis of compromise *qua* the present petitioner.

03.07.2025
Bhumika

(JASGURPREET SINGH PURI)
JUDGE

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