

CRM-M-51278-2024

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

270

CRM-M-51278-2024

Date of decision : 24.03.2025

Jagjit Singh and Anr.

..... Petitioners

V/S

State of Punjab and Anr.

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. Dhanpat Rai, Advocate for
Mr. Inderjit Sharma, Advocate for petitioners.

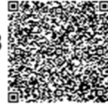
Mr. Japjot Singh, AAG, Punjab.

Mr. Arun Kumar Sharma, Advocate for
respondent No.2.

AMARJOT BHATTI J. (ORAL)

1. Petitioners- Jagjit Singh and Tarlok Singh have filed instant petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of FIR No.0108 dated 10.11.2021, under Sections 406 & 498-A of IPC, registered at Police Station Women, Ludhiana (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise (Annexure P-2).

2. As per facts of the case, complainant Amandeep Kaur filed written complaint against her husband Jagjit Singh and others for causing harassment and giving threats to divorce her. She submitted that soon after marriage, her husband and in-laws family started harassing her on petty matters. Whenever she fell sick, she was told to give her salary then only they will get medicine for her. She was not permitted to meet her parents. On the day of *Rakhi* festival, her brother came along with her parents. She accompanied her parents to her parental home. Nobody came to pick her up. Her father left her in the matrimonial home

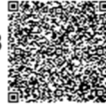


and thereafter, her husband and in-laws family started harassing her all the more. She has narrated various incidents when she was illtreated by her in-laws and was not permitted to meet her parental family. Ultimately, the matter was reported to the police.

3. Petitioners filed this petition for quashing of aforesaid FIR on the basis of compromise. Vide order dated 18.10.2024, petitioners 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 05.12.2024. 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. Petitioners- Jagjit Singh and Tarlok Singh also confirmed this fact in their joint statement. Statement of SI Sukhwinder Singh is also recorded who confirmed that petitioners are 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.5,00,000/- which were already paid by petitioners to complainant at the time of compromise. Thereafter, they will be able to live independently in peace and



CRM-M-51278-2024

-3-

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 petitioners is accepted and FIR No.0108 dated 10.11.2021, under Sections 406 & 498-A of IPC, registered at Police Station Women, Ludhiana (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua petitioners.

(AMARJOT BHATTI)
JUDGE

24.03.2025.

Sunil Devi

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