



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

**CRM-M-55266-2024(O&M)
Date of Decision: 08.07.2025**

Mohinder Singh and others

....Petitioner(s)

Versus

State of Punjab and another

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr.H.P.S. Ghuman, Advocate,
for the petitioners.

Mr. Karunesh Kaushal, AAG, Punjab.

Mr. Hitesh, Advocate for
Mr. Jagjit Singh Chatrath, Advocate
for respondents No.2 and 3.

JASGURPREET SINGH PURI, J. (Oral)

1. The present petition has been filed under Section 528 of BNSS for quashing of FIR No.0014 dated 30.05.2023, under Sections 498-A and 406 IPC, registered at Police Station NRI, SAS Nagar, Mohali, District Mohali alongwith all other consequential proceedings, on the basis of compromise (Annexure P-2).

2. Learned counsel appearing on behalf of the petitioners submitted that the present FIR arose out of a matrimonial dispute between the parties which has been amicably resolved between them and rather the marriage between petitioner No.1 and respondent No.2 has already been



dissolved. He submitted that petitioners No.1 and 2 as well as respondent No.2 are residing abroad and as per the orders passed by this Court dated 07.11.2024, the learned trial Court/Illaq Magistrate was directed to record the statements of petitioners No.1 and 2 as well as respondent No.2/complainant through their Special Power of Attorney holders in support of the compromise and consequent thereupon petitioners No.1 and 2 as well as respondent No.2/complainant have got recorded their statements before the learned Judicial Magistrate First Class, SAS Nagar through their Special Power of Attorney holders accordingly. He submitted that so far as petitioner No.3 is concerned, she also got her statement recorded before the learned Judicial Magistrate First Class, SAS Nagar with regard to the genuineness of compromise. He also submitted that once the matrimonial dispute has been resolved between the parties and the statements with regard to the genuineness of the compromise have been recorded, 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. Karunesh Kaushal, learned AAG, 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-wife 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. A report has been received from the learned Judicial Magistrate First Class, SAS Nagar dated 06.02.2025 in which it has been stated that the statement of the parties have been recorded. So far as petitioners No.1 and 2 as well as respondent No.2/complainant are concerned, the statements have been recorded through their Special Power of Attorney. The order which was passed by this Court dated 7.11.2024 is reproduced.

“This petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR No.14 dated 30.05.2023 under Sections 498-A & 406 of the Indian Penal Code, 1860, registered at Police Station NRI, District SAS Nagar (Mohali) (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 16.03.2024 (Annexure P-2).

Notice of motion for 10.12.2024.

At this stage, on asking of the Court, Mr. Sandeep Kumar, DAG, Punjab accepts notice on behalf of respondent No.1-State and Mr. Jagjit Singh Chatrath, Advocate accepts notice for respondent No.2 and files his Vakalatnama, which is taken on record. Copy of the paper book be supplied to them during course of the day.

Service is complete.

In the meanwhile, the parties are directed to appear before learned trial Court/Illaq Magistrate within two weeks from today or any other date convenient to learned trial Court/Illaq Magistrate, to get their statements recorded regarding compromise and after recording their statements, learned trial Court/Illaq Magistrate is directed to send report regarding the genuineness of compromise and also to intimate whether any PO proceedings are pending against any of the party on or before the date fixed.

As prayed for, learned trial Court/Illaq Magistrate is



directed to record statements of petitioners No.1 & 2 as well as respondent No.2 through their Special Power of Attorney holders, in support of the compromise (Annexure P-2).

A copy of this order be sent to learned trial Court/Illaq Magistrate through fax for compliance”.

7. A perusal of the report sent by the learned Judicial Magistrate First Class, SAS Nagar would show that it has been reported that the compromise seems to be genuine, voluntary and without any coercion or undue influence and from the statement of the Investigating Officer, no proclamation proceedings are pending against either of the parties.

8. The law with regard to quashing of FIR based upon compromise is no longer *res integra*. 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.

9. After hearing the learned counsels for the parties and perusing the aforesaid report dated 06.02.2025 sent by the learned Judicial Magistrate First Class, SAS Nagar, 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 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.

10. Consequently, the present petition is allowed. The impugned FIR No.0014 dated 30.05.2023, under Sections 498-A and 406 IPC, registered at Police Station NRI, SAS Nagar, Mohali, District Mohali alongwith all other consequential proceedings are hereby quashed, on the basis of compromise (Annexure P-2), qua the petitioners.

08.07.2025
rakesh

(JASGURPREET SINGH PURI)
JUDGE

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