



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

**CRM-M-57420-2024
DECIDED ON: 14.07.2025**

BALWINDER SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB AND ANOTHER

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Abnash Singh, Advocate
for the petitioner.

Mr. G.S. Bhullar, AAG, Punjab.

Ms. Rameet Bakshi, Advocate
for respondent No.2.

JASGURPREET SINGH PURI, J (ORAL)

1. The present petition has been filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of the impugned FIR No.199 dated 01.09.2020, under Section 498-A of the IPC, registered at Police Station City Kharar, SAS Nagar, Mohali (Annexure P-1) alongwith all other consequential proceedings arising therefrom, on the basis of compromise dated 21.10.2024 (Annexure P-2).

2. Learned counsel appearing on behalf of the petitioner submitted that the present FIR has been registered on the basis of a matrimonial dispute between the parties and further submitted that it is a case where petitioner is the husband and respondent No.2 is the wife. It has been submitted on behalf of the petitioner that with the intervention of the

respectables, the matter has been compromised amicably between the parties and rather a separate petition for grant of divorce on the basis of mutual consent under Section 13-B of the Hindu Marriage Act, 1955 has also been filed and now even a decree for dissolution of marriage has been passed on 06.05.2025 and the entire dispute has been settled between the parties. He further submitted that in pursuance of the order passed in the present case on 18.12.2024, both the petitioner and respondent No.2 appeared before the trial Court/Illaqa Magistrate for the purpose of recording their statements regarding the genuineness and voluntariness of compromise between them and their statements have been recorded in this regard and submitted that once the matrimonial dispute stands fully settled between the parties, no useful purpose will be served in case further prosecution is carried on.

3. On the other hand, learned State counsel submitted that since the subject matter of the present FIR is only a matrimonial dispute between the parties which has been settled amicably, therefore, any appropriate orders may be passed in accordance with law.

4. Learned counsel appearing on behalf of respondent No.2/complainant also submitted that the matter has been settled between the petitioner and respondent No.2 amicably and she has no objection in case the present FIR is quashed in view of the compromise and specifically on the fact that a decree of divorce under Section 13-B of the Hindu Marriage Act, 1955 has been passed and all the disputes have been fully settled.

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

6. This Court while issuing notice of motion on 18.12.2024 had directed the parties to appear before the learned trial Court/Illaqa Magistrate for the purpose of recording of their statements regarding the genuineness

and voluntariness of compromise. A report has been received from Judicial Magistrate Ist Class, Kharar, SAS Nagar dated 07.01.2025, whereby it has been reported that the statements of the parties have been recorded and it has been further reported that after going through the statements got recorded by the complainant and the accused, it appears from the statements of the parties that all the affected parties have entered into a compromise and the compromise in question is valid compromise and has been effected without their being any kind of influence or coercion.

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. The facts and circumstances of the present case suggest that the FIR was registered on the basis of matrimonial dispute between the parties which has now been amicably settled and even a decree of divorce under Section 13-B of the Hindu Marriage Act, 1955 was passed on 06.05.2025. It is a settled law that in case of such kind of disputes which are private in nature i.e. the marriage disputes, the financial disputes etc, where a compromise has been effected between the parties amicably and voluntarily, the Court can always exercise its jurisdiction under Section 582 of BNSS (erstwhile Section 482 Cr.P.C.) for quashing of the FIR based upon

compromise considering the facts and circumstances of each and every case. The matrimonial offence does not fall in the category of any serious or heinous offence.

9. Therefore, considering the ratio of the aforesaid judgments, this Court is of the considered view that no useful purpose will be served in case the criminal prosecution is further carried on and rather it will be in the interest of justice to quash the present FIR based upon compromise (Annexure P-2) since it was essentially a matrimonial dispute.

10. Consequently, the present petition is allowed.

11. The impugned FIR No.199 dated 01.09.2020, under Section 498-A of the IPC, registered at Police Station City Kharar, SAS Nagar, Mohali (Annexure P-1) alongwith all other consequential proceedings arising therefrom, is hereby quashed, on the basis of compromise dated 21.10.2024 (Annexure P-2), qua the petitioner.

14.07.2025

Poonam Negi

**(JASGURPREET SINGH PURI)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No