



CRM-M-54163-2024

-1-

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

267

CRM-M-54163-2024

Date of decision : 22.01.2025

Beant Singh

..... Petitioner

V/S

State of Punjab and Anr.

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. Vikram Preet Arora, Advocate for petitioner.

Mr. Kewal Singh, Addl. A.G., Punjab.

Mr. Rajat Kumar, Advocate for respondent No.2.

AMARJOT BHATTI J. (ORAL)

1. Petitioner – Beant Singh has filed instant petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of FIR No.106 dated 17.06.2022, under Sections 498-A, 406 of IPC, registered at Police Station Women Ludhiana, District Ludhiana (Annexure P-1) on the basis of compromise dated 16.10.2024 (Annexure P-2).

2. As per the facts of the case, complainant Pavittar Kaur filed written complaint against her husband Beant Singh alleging that she got married with him in the year 2006. Her parents had given dowry as per their status. Out of this wedlock, she gave birth to two sons. Elder son is 15 years old and younger son is 13 years old. Her younger son was having a hole in his heart since birth and he required operation. Her husband told her that he was not in a position to get him treated. On this, her parents helped her in getting the necessary treatment of her son.

Their relations were not cordial. Due to matrimonial dispute, she was turned out of the matrimonial home. With the intervention of her parents and relatives, she was

**CRM-M-54163-2024****-2-**

again sent back. In fact, her husband was having illicit relations with another woman with whom, he was talking on mobile phone. One day, she followed her husband along with elder son and found him meeting another woman in Redrose Family Restaurant at Sirhind City. She knocked at the door of the room and found them in awkward position. Her husband could not explain anything. Thereafter, she returned home and her husband also followed her. He threatened to kill her. Ultimately, she came to her parental house along with children. Thereafter, the complaint was filed.

3. Petitioner filed this petition for quashing of aforesaid FIR on the basis of compromise. Vide order dated 29.10.2024, 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, Ludhiana dated 05.12.2024. Statement of respondent No.2 has been recorded, where she confirmed the compromise with petitioner. She confirmed that this compromise has been effected without any pressure, coercion or undue influence from any side and she has no objection regarding quashing of FIR.

4. Petitioner- Beant Singh also confirmed this fact in his separate statement. Statement of SI Raghuvir Singh is also recorded who further confirmed that accused is 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.

They will be able to live in peace and harmony. It will end the litigation started



CRM-M-54163-2024

-3-

between them, if any. 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.106 dated 17.06.2022, under Sections 498-A, 406 of IPC, registered at Police Station Women Ludhiana, District Ludhiana (Annexure P-1) is quashed qua petitioner.

(AMARJOT BHATTI)
JUDGE

22.01.2025.

Sunil Devi

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