



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM-M-62447-2024
Date of decision : 21.01.2025

Rajinder Singh and Ors.

..... Petitioners

V/S

State of Punjab and Anr.

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. Ravish Bansal, Advocate for petitioners.

Mr. Rubal Pawar, Assistant A.G., Punjab.

Mr. Himanshu Rajput, Advocate for
Mr. A.S.Sekhon, Advocate for respondent No.2.

AMARJOT BHATTI J. (ORAL)

1. Petitioners-Rajinder Singh, Balvir Kaur and Shinder Pal alias Chhinder Pal have filed instant petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of FIR No.95 dated 22.10.2021 (Annexure P-1), under Sections 498-A of IPC, 1860 and Section 4 of Dowry Prohibition Act, 1961, registered at Police Station Sadiq, District Faridkot and all subsequent proceedings arising therefrom on the basis of compromise dated 11.11.2024 (Annexure P-2).
2. As per the facts of the case, complainant Mamta Rani has filed written complaint alleging that she was married to Rajinder Singh on 02.02.2018. Out of this wedlock, she has a daughter Catherine aged about 1 ½ years. Her parents had spent Rs.8 Lacs on her marriage. As per their demand, gold ornaments, household articles were given. Behaviour of accused persons remained good for some time but after the birth of daughter, there was change in their behaviour as they were expecting a son. Her husband-Rajinder Singh started raising demand on one pretext

or the other. She was physically and mentally tortured. The accused persons raised demand for a car. Without her knowledge, they applied for loan from her bank. When they came to know that the said loan was cancelled, she was given severe beating. She was turned out of the matrimonial home on account of their greed for dowry. With these allegations, present FIR has been registered.

3. Petitioners filed this petition for quashing of aforesaid FIR on the basis of compromise. Vide order dated 12.12.2024, 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, Faridkot dated 24.12.2024. Statement of respondent No.2 has been recorded, where she confirmed the compromise with petitioners. She confirmed that this compromise has been effected without any pressure, coercion or undue influence from any side and she has no objection regarding quashing of FIR.

4. Petitioners- Rajinder Singh, Balvir Kaur and Shinder Pal alias Chhinder Pal also confirmed this fact in their joint statement. Statement of ASI Charanjit Singh is also recorded who further confirmed that accused are not involved or declared as proclaimed offender in any other criminal case.

5. Therefore, from the report of Judicial Magistrate Ist Class, Faridkot, 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 between them. 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.95 dated 22.10.2021 (Annexure P-1), under Sections 498-A of IPC, 1860 and Section 4 of Dowry Prohibition Act, 1961, registered at Police Station Sadiq, District Faridkot and all consequential proceedings arising therefrom are quashed qua petitioners.

(AMARJOT BHATTI)
JUDGE

21.01.2025.
Sunil Devi

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