

CRM-M-62441-2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM-M-62441-2024

Date of decision : 30.01.2025

Manpreet

..... Petitioner

V/S

State of Punjab and Ors.

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. Rajeev Sharma, Advocate for petitioner.

Mr. Gautam Thapar, AAG, Punjab.

Mr. Vikrant Duggal, Advocate for respondents No.2 & 3.

AMARJOT BHATTI J. (ORAL)

1. Petitioner- Manpreet has filed instant petition under Section 482 of Cr.P.C./Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of FIR No.141 dated 22.06.2018, under Sections 498-A, 406 of IPC, 1860, registered at Police Station City Kapurthala, Punjab (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 29.08.2024 (Annexure P-2).

2. As per the facts of the case, complainant Mukhtiar Kaur grandmother of Ravina gave her statement that her grand-daughter Ravina got married with Manpreet in the year 2015. She had given dowry as per her capacity. After marriage Manpreet and his brother Palvinder used to beat Ravina and within 4-5 months of marriage, she was turned out of the matrimonial home. Since then, she is living with her. She gave birth to a daughter. Manpreet did not take back his wife to the matrimonial home despite request. Ultimately, the

matter was reported to the police, on the basis of which present FIR has been registered.

3. Larned counsel representing State has filed status report, which is taken on record.

4. Petitioner filed this petition for quashing of aforesaid FIR on the basis of compromise. Vide order dated 12.12.2024, petitioner and respondents No.2 & 3 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 Chief Judicial Magistrate, Kapurthala dated 24.01.2025. Statement of respondents No.2 & 3 have been recorded, where they confirmed the compromise with petitioner. They confirmed that this compromise has been effected without any pressure, coercion or undue influence from any side and they have no objection regarding quashing of FIR.

5. Petitioner- Manpreet also confirmed this fact in his separate statement. Statement of SI Kewal Singh is also recorded who further confirmed that accused is not involved or declared as proclaimed offender in any other criminal case.

6. Therefore, from the report of Chief Judicial Magistrate, Kapurthala, 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 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.

7. 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.’

8. 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. 141 dated 22.06.2018, under Sections 498-A, 406 of IPC, 1860, registered at Police Station City Kapurthala, Punjab (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua petitioner.

9. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

(AMARJOT BHATTI)
JUDGE

30.01.2025.

Sunil Devi

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