

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM-M-62977-2024

Date of decision : 20.01.2025

Sukhwinder Kaur and Anr.

..... Petitioners

V/S

State of Punjab and Anr.

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. Ravi Malhotra, Advocate for petitioners.

Mr. Ravinder Singh, AAG, Punjab.

Mr. Sunil Kumar Rohilla, Advocate for respondent No.2.

AMARJOT BHATTI J. (ORAL)

1. Petitioners-Sukhwinder Kaur and Paramjit Kaur have filed instant petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of FIR No.23 dated 14.03.2011, under Sections 498-A, 506, 34 of IPC, 1860 (Section 323 of IPC was added later on), registered at Police Station Maqsudan, District Jalandhar and all subsequent proceedings arising therefrom on the basis of compromise dated 26.11.2022 (Annexure P-2).

2. As per the facts of the case, complainant Kuldeep Kaur gave her statement that about 08 years ago, she got married with Gurjit Singh and out of this wedlock, she is having two daughters. Elder daughter is 05 years old and younger daughter is 03 years old. On 13.03.2011, at about 10:00 AM her husband along with mother-in-law Sukhwinder Kaur, sister-in-law Paramjit Kaur poured kerosene oil on her. She ran into the bathroom and bolted it from inside. She called her brother who took her to the parental house. The accused persons threatened to kill her. On

account of their demand 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 17.12.2024, 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, Jalandhar 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- Sukhwinder Kaur and Paramjit Kaur also confirmed this fact in their separate statements. Statement of ASI Manjit 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, Jalandhar, 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.23 dated 14.03.2011, under Sections 498-A, 506, 34 of IPC, 1860 (Section 323 of IPC was added later on), registered at Police Station Maqsudan, District Jalandhar and all consequential proceedings arising therefrom are quashed qua petitioners.

(AMARJOT BHATTI)
JUDGE

20.01.2025.
Sunil Devi

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