



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM-M-63534-2024

Date of decision : 06.02.2025

Amarjit Singh and Ors.

..... Petitioners

V/S

State of Punjab and Anr.

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. Rishu Mahajan, Advocate for petitioners.

Mr. Japjot Singh, AAG, Punjab.

Mr. S.S.Dhillon, Advocate for
Mr. Ajay Kumar, Advocate for respondent No.2.

AMARJOT BHATTI J. (ORAL)

1. Petitioners- Amarjit Singh, Balbir Singh and Paramjeet Kaur have filed instant petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of FIR No.44 dated 18.06.2023, under Sections 498-A, 406 of IPC, registered at Police Station Women Cell, District Amritsar (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 10.12.2024 (Annexure P-2).
2. As per the facts of the case, complainant Amanpreet Kaur filed written complaint through *Dak* for registration of FIR. The complainant alleged that after the death of her husband, she re-married with Amarjit Singh. Immediately after marriage, her husband and his parents started harassing her to compel her to bring more dowry. She was forced to leave the matrimonial home and presently she is residing with her old parents at Amritsar. Her husband also left India in connivance with his parents. Detailed complaint was filed earlier but no action was taken.

Ultimately, the matter was enquired by Inspector Baljit Kaur, In-charge Counselling Cell, Amritsar and thereafter, present FIR was 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, Amritsar dated 02.01.2025. 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. Petitioner No.1-Amarjit Singh who is residing in United Kingdom appeared in person and confirmed the compromise. Petitioners- Balbir Singh and Paramjeet Kaur have also confirmed this fact in their separate statements. Statement of SI Ajay Kumar 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, Amritsar, 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 have decided to part ways mutually. 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.44 dated 18.06.2023, under Sections 498-A, 406 of IPC, registered at Police Station Women Cell, District Amritsar (Annexure P-1) and all consequential proceedings arising therefrom are quashed qua petitioners.

(AMARJOT BHATTI)
JUDGE

06.02.2025.
Sunil Devi

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