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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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Date of decision : 15.01.2025

Gurpreet Singh and Anr.

..... Petitioners

V/S

State of Punjab and Anr.

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. Dhiraj Jindal, Advocate for petitioners.

Mr. Gautam Thapar, AAG, Punjab.

Mr. Sahil Siddharth Jain, Advocate for respondent No.2.

AMARJOT BHATTI J. (ORAL)

1. Petitioners-Gurpreet Singh and Paramjit Kaur have filed instant petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of FIR No.11 dated 01.09.2023, under Sections 498-A, 406 of IPC, registered at Women Police Station, District Sangrur (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 11.12.2024 (Annexure P-2).

2. As per the facts of the case, complainant Ranjit Kaur filed complaint against her husband Gurpreet Singh @ Kala and Paramjit Kaur mother-in-law with the allegations of maltreatment on account of demand of dowry. Due to domestic reasons, she and her husband started living separate in a rented house in Sunam, District Sangrur. They lived happily along with their child. After few days, she came to Sangrur to meet her parents. She told her husband that she would stay with her parents for few days to which her husband did not raise any objection. Later on she came to know from her neighbours in Sunam on 12.03.2022 that her husband

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along with some unknown persons took away her belongings on 10.03.2022. The house was lying locked. She along with her father came to Police Chowki Anaj Mandi, Sunam and filed a complaint. Apart from household articles, he also took away her gold weight 04 tolas and cash of Rs.30,000/-. They tried to contact her husband, but he did not pick up the phone. 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 18.12.2024, petitioners and respondent No.2 were directed to appear before the trial Court/Illaqa 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, Sangrur 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- Gurpreet Singh and Paramjit Kaur also confirmed this fact in their joint statement. Statement of ASI Avtar 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, Sangrur 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.



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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.11 dated 01.09.2023, under Sections 498-A, 406 of IPC, registered at Women Police Station, District Sangrur (Annexure P-1) and all consequential proceedings arising therefrom are quashed qua petitioners.

8. The present petition accordingly stands accepted.

(AMARJOT BHATTI)
JUDGE

15.01.2025.

Sunil Devi

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