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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-64946-2024

Date of Decision:- 28.04.2025

SUSHIL SINGH & ANOTHER

...Petitioners

Vs.

STATE OF PUNJAB & ANOTHER

...Respondents

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Rajeev Dev Sharma, Advocate for petitioners.

Mr. Vivek Sharma, AAG, Punjab.

Mr. Joginder Siwach, Advocate and Mr. Ashish Sharma,
Advocate for respondent No.2.

AMARJOT BHATTI, J.

1. Petitioners have filed instant petition for quashing of FIR No.0011 dated 05.03.2024 under Sections 498-A, 406 of IPC registered at Police Station Bhaini Mian Khan, District Gurdaspur and subsequent proceedings arisen therefrom on the basis of compromise dated 23.10.2024 (Annexure P-2).

2. Facts of the case are, complainant Manisha Devi filed written complaint against her husband Sushil Singh and father-in-law Balbir Singh for maltreatment on account of demand of dowry. Complainant got married with Sushil Singh on 13.12.2013. She is having a son aged 9 years old. Her father had given sufficient dowry as per his capacity. Her husband was raising demand for Rs.2 lakhs for going abroad. Her parents gave this money



to her husband who went abroad in April, 2019. After going abroad, he stopped sending expenses to her and her son. In the year 2021, her husband raised demand of Rs.5 lakhs from her parental family as he wanted to start his own business. Her parents could not arrange this huge amount. Her in-laws' family gave her beating and she was sent to her parental house where she is residing for the last 2 years. Her husband did not try to contact her and her son. They have misappropriated all her dowry articles. With these allegations, present FIR has been registered.

3. Petitioner filed this petition for quashing of aforesaid FIR on the basis of compromise. Vide order dated 22.01.2025, 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 First Class, Gurdaspur dated 18.02.2025. 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 and she has no objection regarding quashing of FIR.

4. Petitioners- Sushil Singh and Balbir Singh also confirmed this fact in their joint statement. Statement of ASI Palwinder Singh is also recorded who further confirmed that accused are not proclaimed offender in this case.

5. Therefore, from the report of Judicial Magistrate 1st Class, Gurdaspur it is clear that compromise has been effected between the parties amicably. They have mutually settled all their claims arisen from



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matrimonial dispute. They will be able to live in peace and harmony. Parties have decided to part their ways. 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 the 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.0011 dated 05.03.2024 under Sections 498-A, 406 of IPC registered at Police Station Bhaini Mian Khan, District Gurdaspur and all subsequent proceedings arising therefrom are quashed qua petitioners.

(AMARJOT BHATTI)
JUDGE

28.04.2025

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Whether speaking/reasoned	:	Yes/No.
Whether reportable	:	Yes/No