



CRM-M-68784-2025 (O&M)

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

223(2)

CRM-M-68784-2025 (O&M)
Date of Decision: 09.01.2026**ASHWANI KUMAR AND ANOTHER****... Petitioners****VERSUS****STATE OF PUNJAB AND OTHERS****.. Respondents****CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL**Present: Ms. Jigyasa Kharbanda, Advocate
for Mr. Karanjit Singh, Advocate for the petitioner.

Mr. Akash Yadav, AAG Punjab.

Mr. Shivam Joshi, Advocate
for respondents No. 2 and 3.

SHALINI SINGH NAGPAL, J. (ORAL)

Petitioners seek quashing of FIR No. 0084 dated 13.09.2023 under Sections 406, 498-A Indian Penal Code, Police Station Garhdiwal, District Hoshiarpur and all consequential proceedings arising therefrom, on the basis of compromise dated 26.11.2025 said to be arrived at between the parties.

On 09.12.2025, this Court directed the parties to appear before the trial Court/Illaq Magistrate for recording of their statements with regard to compromise.

In compliance of the order dated 09.12.2025, parties appeared before learned Judicial Magistrate Ist Class, Dasuya on 10.12.2025. Statement of the Investigating Officer, ASI Jiwan Lal No. 761/HPR, posted at P.S. Garhdiwala District Hoshiarpur was also recorded on 10.12.2025. Learned



Judicial Magistrate Ist Class, Dasuya has submitted his report recording satisfaction that all the parties have entered into a valid compromise without any influence or coercion. Point-wise report as under has been submitted:

- “1. There was only one accused namely Varun Kumar arrayed as accused in the present FIR. Further, accused Ashwani Kumar and Prem Lata were summoned u/s 319 Cr.P.C.*
- 2. All the accused have appeared before the Court and got recorded their statements.*
- 3. As per the statement of IO no additional accused has been added during investigation.*
- 4. None of the accused is proclaimed offender.*
- 5. No offence was added or deleted after registration of the FIR.*
- 6. No investigation is pending against any of the accused.*
- 7. There is one complainant i.e. respondent No. 1 Subhash Chander and one aggrieved person i.e. respondent No. 3 Pratibha Gupta.*
- 8. Both the complainant and aggrieved persons got recorded their statement.*
- 9. The present case is at the stage of prosecution evidence.*
- 10. After recording the statements of parties, this Court is satisfied that the compromise is genuine, voluntary and out of free will of the parties.*
- 11. As per the statement of IO no criminal case or proceedings pending against any of the accused except the present FIR.”*



Learned State counsel and learned counsel for respondents No. 2 and 3 have not raised any dispute regarding the factum of compromise. Since the matter has been amicably resolved, continuation of the criminal proceedings would be an exercise in futility. The dispute which has its genesis in a matrimonial discord warrants exercise of powers under Section 528 BNSS.

Following principles of law laid down by the Full Bench Judgment of this Court in ***“Kulwinder Singh and others Vs. State of Punjab and another” 2007(3) RCR (Criminal) 1052*** and Hon’ble Supreme Court in ***“Gian Singh Versus State of Punjab and others” (2012) 10 SCC 303***, the petition is allowed.

F IR No. 0084 dated 13.09.2023 under Sections 406, 498-A Indian Penal Code, Police Station Garshiwal, District Hoshiarpur along with all the subsequent proceedings arising therefrom, is quashed qua the petitioners.

JANUARY 09, 2026

Ajay Goswami

**(SHALINI SINGH NAGPAL)
JUDGE**

*Whether speaking/reasoned
Whether reportable*

*: Yes/No
: Yes/No*