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

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Date of decision : 04.07.2025

Gurdeep Singh and Ors.

..... Petitioners

V/S

State of Punjab and Anr.

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. Rajan Singh Dadwal, Advocate for petitioners.

Ms. Amrit Kaur Mahir, AAG, Punjab.

Mr. Suraj Kaundal, Advocate for respondent No.2.

AMARJOT BHATTI J. (ORAL)

1. Petitioners- Gurdeep Singh, Baljinder Kaur, Simranjit Singh and Dalar Singh have filed instant second petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of FIR No.01 dated 28.04.2018, under Sections 498-A and 406 of IPC 1860, registered at Police Station Women, District Ludhiana (Rural) (Annexure P-1) and all subsequent proceedings arisen therefrom on the basis of compromise/statements dated 05.09.2024 (Annexure P-3 to P-5) of petitioner No.1 as well as respondent No.2 recorded before learned Family Court, Ludhiana.

2. As per facts of the case, complainant Harmandeep Kaur filed written complaint against her husband Gurdeep Singh and other members of in-laws family regarding maltreatment in the matrimonial home. It is alleged that she got married with Gurdeep Singh about 01 year and 01 month ago. She is being beaten up by her in-laws family and on that account she used to return to her parental house. The matter was compromised through Panchayat and she was



brought back in the matrimonial home on 04.09.2017. Her husband and in-laws family repeated their previous behaviour. They taunted her for bringing less dowry and gave her filthy abuses. The police was also informed regarding maltreatment and misbehaviour of her husband and members of in-laws family. She is mother of a small child who was also illtreated in the matrimonial home. Finally, the matter was reported to the police and present FIR has been registered.

3. Petitioners filed this petition for quashing of aforesaid FIR on the basis of compromise. Vide order dated 09.04.2025, 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 Ist Class, Ludhiana dated 12.06.2025. Statement of respondent No.2 has been recorded where she confirmed the compromise with petitioners. She confirmed that this compromise has been effected with her free will, without any pressure or coercion and she has no objection regarding quashing of FIR.

Learned counsel representing State has filed status report, which is taken on record.

4. Petitioners- Gurdeep Singh, Baljinder Kaur, Simranjit Singh and Dalar Singh also confirmed this fact in their joint statement. Statement of ASI Jaswinder Singh (Retired) is also recorded who confirmed that petitioners are not involved or declared as proclaimed offenders in any other criminal case.

5. Therefore, from the report of Judicial Magistrate Ist Class, Ludhiana 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



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by filing joint petition under Section 13-B of Hindu Marriage Act. Matter has been settled in Rs.5,80,000/- out of which Rs.2,80,000/- were paid by petitioners to complainant at the time of recording of first motion statements and balance amount of Rs.3,00,000/- will be paid at the time of recording of second motion statements. Thereafter, they will be able to live independently in peace and harmony. 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.01 dated 28.04.2018, under Sections 498-A and 406 of IPC 1860, registered at Police Station Women, District Ludhiana (Rural) (Annexure P-1) and all subsequent proceedings arisen therefrom are quashed qua petitioners.

(AMARJOT BHATTI)
JUDGE

04.07.2025.

Sunil Devi

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