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

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Date of decision : 26.03.2025

Gurnam Singh and Ors.

..... Petitioners

V/S

State of Punjab and Anr.

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. Prashant Vashisth, Advocate for petitioners.

Mr. Baljinder Singh, DAG, Punjab.

Mr. Anmol Singh Virk, Advocate for
Ms. Aman Priya Jain, Advocate for
respondent No.2.

AMARJOT BHATTI J. (ORAL)

1. Petitioners- Gurnam Singh, Gurmeet Kaur @ Mohinder Kaur and Sumandeep Kaur have filed instant petition under Section 482 of Cr.P.C. for quashing of FIR No.31 dated 28.03.2018, under Sections 406, 498-A of IPC, registered at Police Station Women, Ludhiana Police Commissionerate (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise 20.12.2024 (Annexure P-2).

2. As per facts of the case, complainant Amandeep Kaur filed written complaint against her husband Gurnam Singh and other members of in-laws family with the allegations of demand of dowry, harassment and beating given to her. It is alleged that her marriage was performed with Gurnam Singh on 19.01.2016 and her parents had spent money more than their capacity. Soon after marriage, her husband and in-laws family started taunting her for bringing less dowry. Her husband gave her beating under the influence of intoxicant. He has



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started taking drugs. Panchayats were convened to effect compromise but the matter could not be settled. During this period, she conceived and she came to her parental house in December. Nobody from her in-laws family came to see her. She gave birth to a son even then nobody turned up. After passing of nine months, she went to her in-laws house along with her father but they were not permitted to enter the house. She was told that her husband wants to give divorce to her. Ultimately, she filed the complaint.

3. Petitioners filed this petition for quashing of aforesaid FIR on the basis of compromise. Vide order dated 23.01.2025, 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, Ludhiana dated 27.02.2025. Statement of respondent No.2 has been recorded where she confirmed the compromise with petitioners. She confirmed that this compromise has been effected voluntarily, without any coercion or undue influence and she has no objection regarding quashing of FIR.

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

4. Petitioners- Gurnam Singh, Gurmeet Kaur @ Mohinder Kaur and Sumandeep Kaur also confirmed this fact in their joint statement. Statement of ASI Davinderpal Singh 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



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all their claims arisen from matrimonial dispute. They have decided to dissolve their relationship. 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.31 dated 28.03.2018, under Sections 406, 498-A of IPC, registered at Police Station Women, Ludhiana Police Commissionerate (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua petitioners.

(AMARJOT BHATTI)
JUDGE

26.03.2025.

Sunil Devi

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