



CRM-M-6618-2025

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

CRM-M-6618-2025

Date of Decision:- 28.04.2025

SARABJIT SINGH AND OTHERS

...Petitioners

Vs.

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Daljeet Singh Randhawa, Advocate with
Mr. A.S. Manaise, Advocate for the petitioners.

Mr. Vivek Sharma, AAG, Punjab.

Mr. Ajaypal S. Aulakh, Advocate for respondent No.2.

AMARJOT BHATTI, J.

1. Petitioners have filed instant petition for quashing of FIR No.117 dated 15.06.2020 (Annexure P-1) under Sections 498-A and 406 of IPC registered at Police Station Ghuman, Police District Batala, District Gurdaspur along with all subsequent proceedings arisen therefrom on the basis of compromise dated 17.01.2025 (Annexure P-2).

2. As per facts of the case, Rupinder Kaur filed written complaint against her husband Sarabjit Singh and other members of in-laws' family. It is alleged that her marriage was performed with Sarabjit Singh on 28.03.2014. Her husband was posted as Nursing Assistant No.15428671A HAV/NK Sarabjit Singh @ 159GH, Ferozepur. Her parents had spent huge



money at the time of marriage. They had given gold ornaments, costly gifts to her husband and members of in-laws' family. She was also given gold ornaments, fridge, LED, furniture and all other household articles. Her parents had given Bajaj Discover Motorcycle. After few days of marriage, her husband and in-laws family started taunting her for bringing less dowry. She tolerated the behaviour of her husband and in-laws's family with a hope that better sense would prevail. She gave birth to a daughter on 19.02.2015. Nobody came to see the child as they wanted a son. After some time, her parents along with relatives approached her husband and in-laws family but they again raised demand for dowry. They took her ATM card and used to withdraw her money. Thereafter, there was demand for a car. She joined her duty in BSF but nobody was ready to take care of her daughter. Under the pressure of her in-laws' family, her parents gave Rs.3 lakhs to purchase a car upon which a second hand swift dzire car was purchased. Her husband and in-laws' family started filing false complaints with the police. Despite compromise effected from time to time, they could not live for long time. She was again turned out of the house on 05.05.2020. Her dowry articles are lying in her in-laws' house. They have sold motorcycle given at the time of marriage. Her husband is extending threats to her and her daughter. On the basis of present, FIR has been registered.

3. Petitioner filed this petition for quashing of aforesaid FIR on the basis of compromise. Vide order dated 05.02.2025, petitioner 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 First Class, Batala dated 19.03.2025. Statement of respondent No.2 has been recorded, where she confirmed the compromise with petitioner. 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 Sarabjit Singh, Jagir Singh, Daljinder Kaur also confirmed this fact in their joint statement. Statement of ASI Gurmail 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, Batala it is clear that compromise has been effected between the parties amicably. They have mutually settled all their claims arisen from 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.117 dated 15.06.2020 under Sections 498-A and 406 of IPC registered at Police Station Ghuman, Police District Batala, District Gurdaspur (Annexure P-1) 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