



CRM-M-56887-2022

-1-

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

260

CRM-M-56887-2022

Date of decision : 28.07.2025

Jagwinder Singh and Ors.

..... Petitioners

V/S

State of Punjab and Anr.

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. Arshdeep Singh Brar, Advocate for petitioners.

Ms. Amrit Kaur Mahir, AAG, Punjab.

Mr. D.S.Virk, Advocate for respondent No.2.

AMARJOT BHATTI J. (ORAL)

1. Petitioners – Jagwinder Singh, Jaspal Singh and Harinder Kaur have filed this petition under Section 482 of Cr.P.C. for quashing of FIR No.0080 dated 16.04.2019, registered under Sections 406, 498-A of IPC 1860 at Police Station Women, District Police Commissionerate Ludhiana (Annexure P-1) and all the subsequent proceedings arising therefrom, qua the petitioners, in light of the compromise effected between the parties dated 06.09.2021 (Annexure P-2).

Mr. D.S.Virk, Advocate filed vakalatnama on behalf of respondent No.2/complainant, which is taken on record.

2. As per facts of the case, complainant/respondent No.2 Manpreet Kaur filed written complaint for taking action against her husband and members of in-laws' family for causing harassment. She stated that her marriage was performed with Jagwinder Singh on 31.12.2017. Before marriage, her in-laws told a lie that their son was not taking any intoxicant. They were in the business of supplying milk. Her parents had performed marriage and soon thereafter, she



CRM-M-56887-2022

-2-

came to know that her husband used to take intoxicants regularly. He had stolen *shagun* amount received at the time of marriage for the sake of drugs. Her mother-in-law started telling her to bring more money from her parents. On 30.08.2018, she was left in her parental home by making an excuse. She informed her parents about everything. She returned to her in-laws' house on 06.11.2018. She was not provided money for her daily needs. Her husband used to beat her under the influence of intoxicants. Finally, on 01.12.2018 she came to her parental house in three wearing apparels. With these allegations, present FIR has been registered.

3. Petitioners filed this petition for quashing of aforesaid FIR on the basis of compromise. Vide order dated 07.12.2022, 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 30.04.2024. 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.

4. Petitioners- Jagwinder Singh, Jaspal Singh and Harinder Kaur also confirmed this fact in their joint statement. As per the report, 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 the compromise has been effected between the parties without any pressure, coercion or undue influence, which is acceptable to both the parties. They have mutually settled all their claims arisen from matrimonial dispute. They



CRM-M-56887-2022

-3-

have decided to part ways by filing joint petition under Section 13-B of Hindu Marriage Act. Matter has been settled in Rs.1,25,000/-, out of which Rs.60,000/- were to be paid by petitioner No.1 to complainant at the time of recording of first motion statements and balance amount of Rs.65,000/- will be paid at the time of recording of second motion statements. Thereafter, they will be able to live independently in peace and harmony. It will end the litigation started between them.

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.0080 dated 16.04.2019, registered under Sections 406, 498-A of IPC 1860 at Police Station Women, District Police Commissionerate Ludhiana (Annexure P-1) and all subsequent proceedings arisen therefrom are quashed qua petitioners.

(AMARJOT BHATTI)
JUDGE

28.07.2025.

Sunil Devi

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