

Manvir Singh and Another Vs State of Punjab and Another

Court: High Court Of Punjab And Haryana At Chandigarh

Date of Decision: Aug. 26, 2013

Acts Referred: Criminal Procedure Code, 1973 (CrPC) â€” Section 482

Hindu Marriage Act, 1955 â€” Section 13B

Penal Code, 1860 (IPC) â€” Section 120B, 313, 406, 498A, 506

Hon'ble Judges: Ram Chand Gupta, J

Bench: Single Bench

Advocate: Gurbinder Singh, for the Appellant; Deepak Garg, A.A.G., Punjab, Party-in-Person for Respondent No. 2 and Mr. Jaspal Kaur Gurna, for the Respondent

Final Decision: Allowed

Judgement

Ram Chand Gupta, J.

The present petition has been filed u/s 482 of the Code of Criminal Procedure for quashing of FIR No. 100 dated

18.10.2012 (Annexure P-1) under Sections 406, 498-A, 313, 506 and 120-B of Indian Penal Code (Section 313 IPC deleted later on),

registered at Police Station Mulepur, District Fatehgarh Sahib and all other consequential proceedings arising therefrom on the basis of

compromise, Annexure P-2, having been entered between the parties. I have heard learned counsel for the parties and have gone through the

record.

2. It has been stated by learned counsel for the petitioners that dispute between the parties was matrimonial in nature and the same has since been

settled due to intervention of respectable persons and relatives from both the sides. It has also been stated that pursuant to the said compromise

Annexure P-2, a petition for divorce by mutual consent has also been filed by petitioner No. 1 and respondent No. 2 u/s 13-B of Hindu Marriage

Act, 1955 and that decree of divorce has since been passed.

3. Respondent No. 2 - complainant also appeared in person with her counsel, admitting the factum of compromise and stated that in view of

compromise, a petition for divorce by mutual consent has already been filed and that a decree of divorce has already been passed. It is also stated

that she is having no objection if the FIR and consequential proceedings are quashed.

4. In appropriate cases FIR can be quashed on the basis of compromise by exercising power u/s 482 Cr.P.C., even if the offences are not

compoundable. It was so held by Full Bench of this Court in the case of Kulwinder Singh and Others Vs. State of Punjab and Another, . Since the

dispute was matrimonial in nature which has been settled due to intervention of the respectable persons and relatives from both the sides, the

present petition is allowed and the impugned FIR No. 100 dated 18.10.2012 (Annexure P-1) under Sections 406, 498-A, 313, 506 and 120-B

of Indian Penal Code (Section 313 IPC deleted later on), registered at Police Station Mulepur, District Fatehgarh Sahib alongwith all

consequential proceedings qua petitioners Manvir Singh and Baljinder Kaur is, hereby, quashed.