

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM No. M-133 of 2015.
Date of Decision : 03.03.2015.

Hardeep Singh and another

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM : HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr. Ashu Kaushik, Advocate for the petitioners.

Mr. Mikhail Kad, Assistant Advocate General, Punjab.

Tejinder Singh Dhindsa, J.(Oral)

The instant petition has been filed under Section 482 Cr.P.C. for quashing of FIR No. 3 dated 27.01.2012, under Sections 406, 498-A IPC, registered at Police Station Women Cell, District Ludhiana, on the basis of compromise which as per counsel had been entered into between the parties.

While issuing notice of motion on 06.01.2015, this Court had directed the parties to appear before the concerned Illaqua Magistrate for recording of their statements and a report with regard to veracity of the compromise had been called for.

In purported compliance of the order dated 06.01.2015 passed by this Court, a report dated 23.01.2015 of the Judicial Magistrate Ist Class, Ludhiana has been placed on record.

Perusal of the same would reveal that the parties had duly appeared and their statements have been recorded and Judicial Magistrate Ist Class, Ludhiana has opined that the

compromise has been effected between the parties without any pressure or coercion.

A Full Bench of this Court in *Kulwinder Singh and others Vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052* has taken a view that this Court would have the powers under Section 482 Cr.P.C. to bring to an end the criminal proceedings initiated in the light of registration of FIR even with regard to such offences which are non-compoundable.

Concededly the parties herein have taken a conscious decision to amicably resolve their dispute. Under such circumstances, the proceedings if permitted to be continue, would be construed as an abuse of the process of law as also of the Court.

For the reasons recorded above, the present petition is allowed. Impugned FIR No. 3 dated 27.01.2012, under Sections 406, 498-A IPC, registered at Police Station Women Cell, District Ludhiana and all proceedings emanating therefrom stand quashed.

Petition allowed.

March 03, 2015.
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(TEJINDER SINGH DHINDSA)
JUDGE