

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-1499 of 2015 (O&M)
Date of Decision: 30.6.2015

Jaswinder Kaur & others

--Petitioners

Versus

State of Punjab & others

--Respondents

CORAM:-HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Surinder Thakur, Advocate for the petitioners.

Mr. Mikhail Kad, A.A.G., Punjab.

TEJINDER SINGH DHINDSA.J

The instant petition has been filed under Section 482 Cr.P.C praying for quashing of F.I.R. No.225 dated 1.10.2011 under Sections 363, 366 (A) I.P.C registered at Police Station, Nakodar, District Jalandhar, on the basis of compromise.

Since quashing of the impugned F.I.R was sought on the basis of compromise, this Court while issuing notice of motion on 12.2.2015 had directed the parties to appear before the Trial Court for recording of their statements in support of the compromise and a report had been called for.

Placed on record is a report dated 26.2.2015 of the learned Additional Sessions Judge, Jalandhar and a perusal thereof would reveal that the statements of the parties have since been recorded and it has been informed that the matter has been amicably settled and a compromise has been effected.

A Full Bench of this Court in case of *Kulwinder Singh and others Vs. State of Punjab and another, 2007 (3) R.C.R (Criminal)*

1052 has taken a view that in appropriate cases this Court in exercise of its powers under Section 482 Cr.P.C can intervene and bring to an end criminal prosecution in the light of any compromise that may have been effected even in relation to non-compoundable offences.

Adverting back to the facts of the present case, whereby the marriage between petitioner no.2 and respondent no.3 has been accepted by the family members and the matter has been amicably resolved, it would be construed as an abuse of process of law as also of the Court, if, criminal prosecution in pursuance to the impugned F.I.R is permitted to continue.

Accordingly, present petition is allowed. F.I.R. No.225 dated 1.10.2011 under Sections 363, 366 (A) I.P.C registered at Police Station, Nakodar, District Jalandhar and all proceedings emanating therefrom, stand quashed.

Petition is allowed in the aforesaid terms.

(TEJINDER SINGH DHINDSA)
JUDGE

30.06.2015

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