

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-16325 of 2015 (O&M)
Date of Decision: 04.08.2015

Manjit Singh & others

--Petitioners

Versus

State of Punjab & another

--Respondents

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

Present:- Mr. Jagtar Singh, Advocate for
Mr. R.S. Athwal, 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.12 dated 17.2.2015 under Sections 406, 498-A, 354, 511 I.P.C registered at Police Station, Women Cell, Jalandhar City, District Jalandhar, on the basis of compromise.

On 18.5.2015, while issuing notice of motion, this Court had directed the parties to appear before the Illaqa Magistrate/Duty Magistrate concerned for recording of their statements in support of the compromise and a report had been called for.

Placed on record is a report dated 2.6.2015 of the J.M.I.C-cum-Duty Magistrate, Jalandhar and a perusal thereof would reveal that the statements of complainant namely Parminder Kaur as also accused i.e. the present petitioners were duly recorded and it has been opined that the compromise has been entered into voluntarily and without any pressure or coercion.

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 a compromise that may have been effected between the parties even in relation to non-compoundable offences.

Adverting back to the facts of the present case, since the dispute is essentially matrimonial in nature and has been resolved, continuation of criminal prosecution would be seen as an abuse of the process of law as also of the Court.

In an overview of the matter, this Court is of the considered view that the compromise between the parties is to be acted upon. Accordingly, present petition is allowed. F.I.R. No.12 dated 17.2.2015 under Sections 406, 498-A, 354, 511 I.P.C registered at Police Station, Women Cell, Jalandhar City, District Jalandhar and all proceedings emanating therefrom qua the present petitioners stand quashed.

Petition is allowed in the aforesaid terms.

(TEJINDER SINGH DHINDSA)
JUDGE

04.08.2015

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