

IN THE PUNJAB & HARYANA HIGH COURT AT CHANDIGARH

CRM-M-1726-2015

Date of decision : 21.01.2015

Sunil Kumar and others

... Petitioners

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr.L.S.Sidhu, Advocate
for the petitioners.

Mr.Gazi Mohammad, DAG, Punjab.

Mr.Sukhdev Singh, Advocate
for respondent No.2.

REKHA MITTAL, J.(ORAL)

The petitioners have prayed for quashing of FIR No.88 dated 06.09.2013 under Sections 498-A, 406, 506 of the Indian Penal Code (in short "IPC") registered in Police Station Mansa City.

In the instant case, the FIR was registered on the statement of respondent No.2-complainant Neetu Bala. Now the matter has been amicably settled between the parties.

Neetu Bala complainant is present in Court with her counsel. Affidavit of Neetu Bala filed in the Court is taken on record. Her statement was recorded in the Court. An extract from her statement is quoted thus:-

"I am the author of FIR No.88 dated 06.09.2013 registered in Police Station Mansa City for offence punishable under Sections 498-A, 406, 506 IPC against my husband and his family members. The dispute between the parties has been settled by way of an amicable settlement vide Panchayati compromise, copy whereof is Annexure P2. I have filed my affidavit today

*in the Court which may be read as part of my statement.
I have got no objection if the aforesaid FIR and
proceedings emanating therefrom are ordered to be
quashed.”*

Counsel for the petitioners submits that as the parties have amicably settled their differences, no useful purpose would be served by continuation of the criminal proceedings.

Counsel for the State has not disputed correctness of the contention of the petitioners.

I have heard counsel for the parties and perused the records.

A perusal of allegations in the FIR reveals that the present case squarely falls in the category of cases which can be quashed by the High Court, in exercise of its inherent power under Section 482 of the Code. Keeping in view the authoritative enunciation of law laid down by Hon'ble the Supreme Court of India in ***Gian Singh v. State of Punjab and another, 2012(4) R.C.R. (Criminal) 543*** and in the light of facts and circumstances of the present case, this Court is of the considered opinion that continuation of criminal proceedings would amount to abuse of process of law and it is expedient in the interest of justice that criminal proceedings are put to an end.

In view of what has been discussed hereinabove, the petition is allowed and FIR No.88 dated 06.09.2013 under Sections 498-A, 406, 506 IPC registered in Police Station Mansa City and proceedings emanating therefrom are ordered to be quashed, qua the petitioners.

(REKHA MITTAL)
JUDGE

January 21, 2015.

DK