

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-2483 of 2015 (O&M)

Date of Decision: 24.3.2015

Pawan Punj

--Petitioner

Versus

State of Punjab and another

--Respondents

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

Present:- Ms. Navdeep, Advocate for the petitioner.

Mr. Nikhil K. Chopra, D.A.G., Punjab.

Ms. Harpreet Chawla, Advocate for respondent no.2.

TEJINDER SINGH DHINDSA.J

The instant petition has been filed under Section 482 Cr.P.C for quashing of F.I.R. No.169 dated 19.11.2014 under Sections 406, 498-A I.P.C registered at Police Station, City Hoshiarpur, on the basis of compromise.

On 23.1.2015, this Court 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 3.3.2015 of the learned A.C.J.M., Hoshiarpur and a perusal thereof would reveal that the statements of the complainant as also accused/present petitioner have been duly recorded and it has been opined that the compromise has been effected between the parties of their free will and without any threat, pressure and coercion.

Learned counsel appearing for respondent no.2 also makes a statement that she would have no objection as regards the quashing of the

impugned F.I.R.

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.

In the light of the facts of the present case, wherein the dispute was essentially matrimonial in nature and the same having been settled between the parties by way of compromise, continuation of criminal proceedings in pursuance thereto would be seen as an abuse of the process of law as also of Court.

Accordingly, present petition is allowed. F.I.R. No.169 dated 19.11.2014 under Sections 406, 498-A I.P.C registered at Police Station, City Hoshiarpur and all proceedings emanating therefrom, stand quashed.

Petition is allowed in the aforesaid terms.

(TEJINDER SINGH DHINDSA)
JUDGE

March 24, 2015
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