

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM No. M-31924 of 2014.  
Date of Decision : 03.03.2015.

Harinder Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM : HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr. C.L. Pawar, Advocate for the petitioner.

Mr. Mikhail Kad, Assistant Advocate General, Punjab.

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*Tejinder Singh Dhindsa, J.(Oral)*

The instant petition has been filed under Section 482 Cr.P.C. for quashing of FIR No. 14 dated 16.08.2013 under Sections 406, 498-A IPC, registered at Police Station Women Cell, Mohali, District SAS Nagar, on the basis of compromise dated 04.09.2014 (Annexure P-2) which as per counsel had been entered into between the parties.

On 16.09.2014, while issuing notice of motion, this Court had directed the parties to appear before the Area Magistrate for recording of their statements and a report had been called for as regards the authenticity of the compromise.

During the course of hearing, even though counsel for the complainant has not come present, yet a report dated 28.01.2015 of the Sub Divisional Judicial Magistrate, Kharar has been placed on record along with the statements of the parties.

Perusal of the report would reveal that the matter has been compromised between the accused and the complainant party, voluntarily and without any coercion and undue influence.

A Full Bench of this Court in *Kulwinder Singh & 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 the 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 continued, 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. 14 dated 16.08.2013 under Sections 406, 498-A IPC, registered at Police Station Women Cell, Mohali, District SAS Nagar and all proceedings emanating therefrom stand quashed.

Petition allowed.

March 03, 2015.  
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(TEJINDER SINGH DHINDSA)  
JUDGE