

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH**

**CRM-M-35017 of 2014**

**Date of Decision: March 13, 2015**

Surinder Kumar Marwaha

....Petitioner

VS

State of Punjab and another

....Respondents

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

Present: Mr. M.S. Sachdev, Advocate,  
for the petitioner.

Mr. Mikhail Kad, AAG. Punjab

Mr. G.P.S. Bal, Advocate,  
for respondent No.2.

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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. 15 dated 17.05.2011 under  
Sections 406/498-A IPC, registered at P.S. Women Cell, Jalandhar,  
District Jalandhar, on the basis of compromise.

On 10.10.2014, 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 25.02.2015 of the J.M.I.C., Jalandhar and a perusal thereof would reveal that the statements of the parties were duly recorded on 25.02.2015 itself and it has been opined that the compromise has been entered into voluntarily and without any pressure or coercion. Even the statement of the complainant Smt. Suman daughter of Sh. Prem Pal is appended along with report wherein she has clearly stated that as per compromise/statement effected between the parties marriage already stands annulled and all matters relating to matrimony between the complainant and the accused/petitioner have been resolved.

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 the dispute between the parties, which was essentially matrimonial

in nature, has since been resolved. The parties have taken a conscious decision to part ways.

Under such circumstances, criminal proceedings, if, permitted to continue on the basis of the registration of the impugned FIR 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. FIR No. 15 dated 17.05.2011 under Sections 406/498-A IPC, registered at P.S. Women Cell, Jalandhar, District Jalandhar, and all proceedings emanating therefrom, stand quashed.

Petition is allowed.

**(TEJINDER SINGH DHINDSA)**  
**JUDGE**

**13.03.2015**  
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