

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM No. M-35552 of 2014.
Date of Decision : 07.04.2015.

Atul Singla and others

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM : HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr. Arvinder Arora, Advocate for
Mr. Ashish Gupta, Advocate for the petitioners.

Mr. Mikhail Kad, Assistant Advocate General, Punjab.

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

Tejinder Singh Dhindsa, J.(Oral)

The instant petition has been filed under Section 482 Cr.P.C. for quashing of FIR No. 20, dated 26.11.2011, under Sections 406, 498-A IPC, registered at Police Station Phase Women Cell, Ludhiana, on the basis of compromise.

On 20.02.2015, this Court had directed the parties to appear before the concerned Illaqua Magistrate for recording of their statements and a report with regard to veracity of the compromise was also called for.

Placed on record is a report dated 01.04.2015 of the Civil Judge (Jr. Division), Ludhiana and a perusal of the same would reveal that the statement of complainant Sangeeta Singla as also of the accused, namely, Atul Singla, Pankaj Singla and Kanchan Singla have been duly recorded and it has been opined that a compromise has been effected between the parties without any pressure and inducement.

Even learned counsel appearing for the complainant makes a statement that in the light of the compromise effected, petition under Section 13B of the Hindu Marriage Act for dissolution of marriage by mutual consent was filed and the decree for divorce has since been granted.

In the light of such facts noticed here-in-above and the matrimonial dispute between the parties having come to an end, it would be an abuse of the process of law as also of the Court for the criminal prosecution to continue in pursuance to the impugned FIR.

Accordingly, the present petition is allowed. Impugned FIR No. 20, dated 26.11.2011, under Sections 406, 498-A IPC, registered at Police Station Phase Women Cell, Ludhiana and all proceedings emanating therefrom stand quashed.

Petition allowed.

April 07, 2015.
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(TEJINDER SINGH DHINDSA)
JUDGE