

IN THE PUNJAB AND HARYANA HIGH COURT AT CHANDIGARH

CRM-M No.37851 of 2014 (O&M)

Date of Decision : 24.7.2015

Deepak Sharma and others

..Petitioners

State of Punjab and others

..Respondents

CORAM : HON'BLE MR.JUSTICE R.P.NAGRATH

Present : Mr. S.S.Sandhu, Advocate for the petitioners.

Mr. Gurveer Sidhu, AAG Punjab.

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

R.P.Nagrath, J. (Oral)

The instant petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.121 dated 28.4.2013 for offence under Sections 498-A, 406, 494, 420 of Indian Penal Code (IPC), registered at Police Station Kotwali Faridkot, District Faridkot and all other consequential proceedings, arising therefrom on the basis of compromise.

Learned State counsel on instructions from ASI Satpal, submits that petitioners are the only accused and respondent No.2 is the only aggrieved person, who recorded the FIR.

In reference to the observations made on 27.4.2015 the petitioner has placed on record the copy of the judgment passed in HMA Petition No.140 dated 5.9.2014 decided on 19.3.2015 whereby the learned District Judge, Family Court, Faridkot has granted the decree of divorce by mutual consent to petitioner No.1 and respondent No.2.

The report from the trial Court has been received after recording statements of respondent/complainant and the petitioners. It is reported that the compromise reached between the parties is genuine, voluntary and without any pressure, coercion. The trial Court has also sent photocopies of statements made by the parties.

No useful purpose would be served to continue with the proceedings before the trial Court in the instant FIR.

Following the principles laid down by the Full Bench judgment of this Court in *Kulwinder Singh and others v. State of Punjab and another, 2007 (3) RCR (Criminal) 1052 (P&H)* and approved by the Hon'ble Supreme Court in *Gian Singh vs. State of Punjab and others, (2012)10 SCC 303*, this petition is allowed and FIR No.121 dated 28.4.2013 for offence under Sections 498-A, 406, 494, 420 of Indian Penal Code (IPC), registered at Police Station Kotwali Faridkot, District Faridkot and all other consequential proceedings arising therefrom are hereby quashed.

Needless to say that the parties shall remain bound by the terms and conditions of the compromise and the statements made by them.

24.7.2015
Meenu

(R.P.Nagrath)
Judge