

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-3891 of 2015 (O&M)
Date of Decision: 30.4.2015

Ajmer Singh & others

--Petitioners

Versus

State of Punjab and another

--Respondents

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

Present:- Mr. Deepak Aggarwal, Advocate for the petitioners.

Mr. Mikhail Kad, A.A.G., Punjab.

Mr. Sandeep Sharma, 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.30 dated 8.8.2014 under Sections 406, 498-A I.P.C registered at Police Station, Woman Police Station, District Bathinda.

Since quashing was sought on the basis of compromise, this Court while issuing notice of motion on 9.2.2015 had directed the parties to appear before the Illaqa Magistrate concerned for recording of their statements and a report with regard to veracity of the compromise had been called for.

Placed on record is a report dated 18.3.2015 of the learned J.M.I.C., Bathinda and a perusal thereof would reveal that the statements of complainant namely Manpreet Kaur (respondent no.2 herein) as also of the accused party (petitioners herein) stand duly recorded and it has been opined that a compromise has been effected between the parties voluntarily and without any pressure or coercion. Statements of the parties also stand appended along with the report.

Even learned counsel appearing for respondent no.2 makes a statement that he has no objection to the quashing of the F.I.R in the light of the compromise.

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 compromise that may have been effected between the parties even in relation to non-compoundable offences.

Adverting back to the facts of the present case, wherein parties have amicably settled the matrimonial dispute, it would be construed as an abuse of the process of law as well as of the Court, if, the criminal prosecution is permitted to continue in pursuance to the impugned F.I.R.

Accordingly, present petition is allowed. F.I.R. No.30 dated 8.8.2014 under Sections 406, 498-A I.P.C registered at Police Station, Woman Police Station, District Bathinda and all proceedings emanating therefrom, stand quashed.

Petition is allowed in the aforesaid terms.

(TEJINDER SINGH DHINDSA)
JUDGE

April 30, 2015
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