

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

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Crl. Misc. No. M 41774 of 2014 (O&M)
Date of decision: 23.01.2015

Deepak Kumar Bhanot

..... Petitioner

Versus

State of Punjab and another

..... Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

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Present: Mr. Naveen Batra, Advocate
for the petitioner

Mr. S K Bansal, AAG, Punjab
for the State of Punjab

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1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporter or not?
3. Whether the judgment should be reported in the Digest?

Rekha Mittal, J.

Through the present petition filed under Section 482 of the Code of Criminal Procedure (in short, 'the Code'), the petitioner prays for quashing of FIR No. 84 dated 31.05.2013 for offence punishable under Section 498-A of the Indian Penal Code registered in Police Station City Hoshiarpur, District Hoshiarpur and proceedings emanating therefrom on the basis of compromise dated 28.10.2014 (Annexure P-2) arrived at between the parties.

In the present case, the matrimonial discord between complainant/respondent No.2 and the petitioner led to filing of said FIR.

Now, dispute between the parties has been settled by way of compromise
(Annexure P2).

Vide order dated 08.12.2014, the parties were directed to appear before the trial Court to get their statements recorded with regard to genuineness of compromise.

Pursuant thereto, a report has been submitted by the Chief Judicial Magistrate, Hoshiarpur, wherein it has been reported that statements of the parties have been recorded and that they have voluntarily compromised the matter.

Counsel for the State does not dispute genuineness of the compromise in view of the report of trial Court.

A perusal of allegations in the FIR reveals that the present case squarely falls in that category of cases which can be quashed by the High Court, in exercise of its inherent power under Section 482 of the Code. Keeping in view the authoritative enunciation of law laid down by Hon'ble the Supreme Court in '*Gian Singh v. State of Punjab and another*', 2012 (4) R.C.R. (Criminal) 543 and in the light of facts and circumstances of the present case, this Court is of the considered opinion that continuation of criminal proceedings would amount to abuse of process of law and it is expedient in the interest of justice that criminal proceedings are put to an end.

In this view of the matter, the petition is allowed and FIR No.84 dated 31.05.2013 for offence under Section 498-A IPC registered in Police Station City Hoshiarpur, District Hoshiarpur and proceedings emanating therefrom stand quashed qua the petitioner.

(Rekha Mittal)
Judge

23.01.2015
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