

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

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**CRM-M No.4262 of 2015
Date of Decision: 13.03.2015.**

Maninder Singh and others

....Petitioners.

Vs.

State of Punjab and others

....Respondents.

CORAM: HON'BLE MRS. JUSTICE SNEH PRASHAR

Present: Mr. Rajbir Singh, Advocate
for the petitioners.

Mr. A.S. Klar, AAG, Punjab.

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

Sneh Prashar, J. (Oral)

Through the present petition filed under Section 482 of the Code of Criminal Procedure (in short "Cr.P.C."), the petitioners pray for quashing of First Information Report No.106 dated 05.11.2013 for offence punishable under Sections 498-A/406, 34 of the Indian Penal Code (in short "I.P.C.") registered at Police Station Boha, District Mansa, on the basis of compromise (Annexure P-2) and subsequent proceedings emanating therefrom.

2. Vide order dated 09.02.2014, 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 Judicial Magistrate Ist Class, Budhlada, wherein it has been reported that statements of the parties have been recorded and that they have voluntarily compromised the matter. Learned counsel for the State does not dispute genuineness of the compromise in view of the report of trial Court.

3. A perusal of allegations in the First Information Report 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 Cr.P.C. 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 First Information Report No.106 dated 05.11.2013 for offence punishable under Sections 498-A/406, 34 of I.P.C. registered at Police Station, Boha, District Mansa and proceedings emanating therefrom stand quashed qua the petitioners.

4. However, in case the petitioner-husband failed to pay the balance amount as per terms of the compromise, the respondent No.2-wife is at liberty to revive the criminal proceedings.

(SNEH PRASHAR)
JUDGE

March 13, 2015.
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