

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

CRM-M-4412 of 2015(O&M)

Date of decision:- 11.05.2015.

Lachhman Singh and othersPetitioners.
Versus

State of Punjab and anotherRespondents.

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

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

Mr. Mikhail Kad, AAG, Punjab
for respondent No. 1-State.

TEJINDER SINGH DHINDSA, J. (ORAL)

The instant petition has been filed under Section 482 Cr.P.C praying for quashing of F.I.R. No.08 dated 02.02.2014 under Sections 498-A/406/323/341 I.P.C registered at Police Station Tibbar, District Gurdaspur on the basis of compromise, which as per pleadings has been entered into between the parties.

Since quashing was sought on the basis of compromise, this Court on 10.02.2015, had directed the parties to appear before the Area Magistrate concerned for recording of their statements and a report as regards veracity of the compromise was called for.

Placed on record is a report dated 21.02.2015 of the learned Additional Chief Judicial Magistrate, Gurdaspur and a perusal of the same would reveal that statements of the complainant namely, Balwinder Kaur as also of the accused (petitioners herein) have been duly recorded and it has been opined that an amicable settlement has been arrived at without any pressure or coercion.

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, since the parties have resolved their dispute, which was essentially matrimonial in nature, it would be a fit case for this Court to intervene in exercise of its powers under Section 482 Cr.P.C and bring to an end the criminal prosecution launched on the basis of impugned FIR.

In the light of the compromise having been effected between the parties, it would be a futile exercise for the criminal proceedings to continue as such. It would be construed as an abuse of the process of law as also of the Court.

For the reasons recorded above, the present petition is allowed. F.I.R. No.08 dated 02.02.2014, under Sections 498-A/406/323/341 IPC registered at Police Station Tibbar, District Gurdaspur and all proceedings emanating therefrom qua the present petitioners stand quashed.

Petition allowed in the aforesaid terms.

(TEJINDER SINGH DHINDSA)
JUDGE

May 11, 2015.
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