

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

CRM No.M-7714 of 2015 (O&M)

Date of decision: 30.06.2015

Jasbir Kaur

... Petitioner

Versus

State of Punjab & another

... Respondents

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

Present: Mr. Mohinder Kumar, Advocate for the petitioner.

Mr. Mikhail Kad, AAG, Punjab.

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TEJINDER SINGH DHINDSA, J. (ORAL).

The instant petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.57 dated 12.06.2013, under Sections 420/328 IPC, registered at Police Station Mehta, District Amritsar Rural.

Since quashing was sought on the basis of compromise, this Court on 11.03.2015 had directed the parties to appear before the Illaqa 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 16.04.2015 of the learned Additional Sessions Judge, Amritsar and a perusal thereof would reveal that the statements of the parties have been duly recorded and it has been opined that compromise that has been effected between the parties is without any pressure or coercion. Even the statements of the parties that have been recorded stand appended along with the report.

A Full Bench of this Court in ***Kulwinder Singh and others Vs.***

State of Punjab and another, 2007(3) RCR (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 the 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, the dispute was essentially matrimonial in nature and the same has since been resolved.

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. FIR No.57 dated 12.06.2013, under Sections 420/328 IPC, registered at Police Station Mehta, District Amritsar Rural and all proceedings emanating therefrom stand quashed.

Petition allowed in the aforesaid terms.

(TEJINDER SINGH DHINDSA)
JUDGE

30.06.2015
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