

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No. M-26117 of 2015

DATE OF DECISION: 07.01.2016

Simranjit Singh and another

.....Petitioners

Versus

State of Punjab and another

.....Respondents

BEFORE:- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

1. **Whether reporters of local newspaper may be allowed to see judgment? (Yes/No)**
2. **To be referred to reporters or not? (Yes/No)**
3. **Whether the judgment should be reported in the Digest? (Yes/No)**

Present:- Mr. Mohit Jaggi, Advocate
for the petitioners.

Mrs. Ritu Punj, Addl. A.G., Punjab.

None for respondent No.2.

DAYA CHAUDHARY, J.

The present petition has been filed under Section 482 Cr.P.C. by the petitioners, namely, Simranjit Singh and Satinder Kaur for quashing of FIR No. 274 dated 21.12.2013 registered under Sections 498-A,406,494 IPC at Police Station Mattaur, Tehsil and District SAS Nagar, Mohali along with all subsequent proceedings arising therefrom, on the basis of compromise.

During pendency of the proceedings, a compromise has been arrived at between the parties and the present petition for quashing of the FIR on the basis of compromise has been filed. Notice of motion was

issued on 7.8.2015 and thereafter vide order dated 5.11.2015 parties were directed to appear before the Area Magistrate for recording of their statements with regard to compromise.

In response to the said directions issued by this Court, parties appeared before JMJC, Mohali and their statements were recorded. A report in this regard along with the statements of the parties have been sent, which are on record wherein factum of compromise has been affirmed. It has been mentioned in the report that the compromise effected between the parties is voluntary and the same is as per their free will and without any fear or undue influence from either side. Complainant-respondent No.2 has specifically stated in her statement that she has no objection in quashing of the FIR and other proceedings arising therefrom.

Since it is a matrimonial dispute and parties have amicably settled their dispute to maintain peace and harmony in the relations and the complainant has no objection in quashing of the FIR and other proceedings, no purpose would be served in case the proceedings are continued as it would amount to wastage of precious time of the Court. Moreover, the complainant is not going to support the case of the prosecution.

This Court has inherent powers under Section 482 Cr.P.C. to allow the compounding of the offence even in non-compoundable offences and to quash the proceedings in case the same is required to prevent the abuse of process of law and the same is in the interest of justice.

Keeping in view the compromise arrived at between the

parties and by exercising the powers under Section 482 Cr.P.C. the present petition is allowed and impugned criminal proceedings arising out of FIR No. 274 dated 21.12.2013 registered under Sections 498-A,406,494 IPC at Police Station Mattaur, Tehsil and District SAS Nagar, Mohali as well as all subsequent proceedings arising therefrom qua the petitioners, namely, Simranjit Singh and Satinder Kaur are hereby quashed.

January 07, 2016
pooja

(DAYA CHAUDHARY)
JUDGE