IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Criminal Misc. No. M-33738 of 2015
Date of decision: 15.03.2016

Kuldeep Singh and others ..Petitioners

Versus

State of Punjab and another ..Respondents

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

1. Whether reporters of local newspapers 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. T.P.S. Makkar, Advocate
for the petitioners.

Mr. Rupam Aggarwal, DAG, Punjab
for respondent No.1 – State.

Mr. Manpreet Singh Sidhu, Advocate
for respondent No.2.

Daya Chaudhary, J. (Oral)

This petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.102 dated 29.07.2012 registered under Sections 498-A, 406 read with Section 34 of Indian Penal Code (for short 'IPC') at Police Station Lambi, District Sri Muktsar Sahib on the basis of compromise arrived at between the parties.

Learned counsel for the petitioners submits that a compromise has been arrived at between the parties and all cases pending between the parties have been withdrawn. The petition filed under Section 13-B of the Hindu Marriage Act, 1955 (for short 'the

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Act') has been allowed.

Learned counsel for respondent No.2 has also affirmed the submissions made by learned counsel for the petitioners with regard to compromise as well as allowing of petition under Section 13-B of the Act. Learned counsel also submits that respondent No.2 has no objection in quashing of the FIR and other proceedings.

Heard arguments of learned counsel for the parties and have also perused the documents available on the file.

The dispute between the parties is matrimonial in nature and the same has been settled by way of compromise. The petition filed under Section 13-B of the Act has been allowed. All cases pending between the parties have been withdrawn because of the compromise. Complainant-respondent No.2 has no objection in quashing of the FIR and other proceedings. Moreover, no purpose would be served in case proceedings are continued in future as it would amount to wastage of precious time of the Court.

It has been held by Five Judges' Bench of our own High Court in ***Kulwinder Singh and others vs. State of Punjab and others, 2007(3) RCR (Criminal) 1052*** that this Court has wide power to quash the criminal proceedings even in non-compoundable offences, notwithstanding the bar under Section 320 of the Criminal Procedure Code in order to prevent abuse of the process of law or to secure the ends of justice.

Accordingly, the present petition is allowed and the

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impugned criminal proceedings arising out of FIR No.102 dated 29.07.2012 registered under Sections 498-A, 406 read with Section 34 of Indian Penal Code IPC at Police Station Lambi, District Sri Muktsar Sahib as well as all subsequent proceedings arising therefrom qua petitioners, namely, Kuldeep Singh, Resham Singh and Balwant Kaur, are hereby quashed.

15.03.2016 **(DAYA CHAUDHARY)**
neetu **JUDGE**

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