

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

-.-

Crl. Misc. No. M 10465 of 2016

Date of decision: 19.01.2017

Darshan Singh Dhillon and others

..... Petitioners

Versus

State of Punjab and another

.....Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

-.-

Present: Mr. Karanbir Singh, Advocate
for the petitioners

Mr. Navdeep Singh, DAG, Punjab

Respondent No. 2 Parminder Kaur in person

-.-

Rekha Mittal, J.

Through the present petition filed under Section 482 of the Code of Criminal Procedure (in short, 'Cr.P.C.'), the petitioners have prayed for quashing of FIR No.19 dated 13.02.2014 for offence punishable under Sections 406 and 498-A of the Indian Penal Code (in short, 'IPC') registered with Police Station Phase 8, Mohali and proceedings emanating therefrom on the basis of compromise dated 28.01.2016 (Annexure P-2) arrived at between the parties.

Counsel for the petitioners states that petitioner No. 1 and respondent No. 2 have mutually decided to resolve their personal differences and also decided to part ways vide compromise deed dated 28.01.2016. Counsel for the petitioners also states that none of the petitioners has been declared proclaimed offender.

Vide order dated 22.11.2016, 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 the Judicial Magistrate Ist Class, Mohali (duty) wherein it has been reported that statements of the parties have been recorded and they have voluntarily compromised the matter.

Counsel for the State does not dispute genuineness of the compromise in view of the report of trial Court.

Respondent No. 2 present in person states that she has no objection if the said FIR and criminal proceedings emanating therefrom are quashed.

A perusal of allegations in the FIR 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 FIR No. 19 dated 13.02.2014 for offence punishable under Sections 406 and 498-A IPC registered with Police Station Phase 8, Mohali and proceedings emanating therefrom on the basis of compromise dated 28.01.2016

(Annexure P-2) stand quashed qua the petitioners. Petitioner No. 1 and respondent No. 2 shall remain bound by the terms and conditions of the compromise.

(Rekha Mittal)
Judge

19.01.2017
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Whether speaking/reasoned	:	Yes/No
whether reportable	:	Yes/No