

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

-.-

Crl. Misc. M 1108 of 2017
Date of decision: 07.04.2017

Nishan Singh and others

..... Petitioners

Versus

State of Punjab and another

..... Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

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Present: Mr. Inderjit Sharma
for the petitioners
Mr. Mikhail Kad, AAG, Punjab
Ms Jobanjeet Kaur, Advocate
for respondent No. 2

-.-

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. 196 dated 28.11.2014 for offence punishable under Sections 498-A, 406, 506 read with Section 34 of the Indian Penal Code (in short, 'IPC') registered with Police Station City Gurdaspur, District Gurdaspur and proceedings emanating therefrom on the basis of compromise dated 07.01.2017 (Annexure P-2) arrived at between the parties.

Counsel for the petitioners states that the petitioner and respondent No. 2 have resolved their differences and happily residing together as husband and wife.

Vide order dated 18.01.2017, 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, Gurdaspur 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 report of the Court below.

Counsel for respondent No. 2 has conceded to the position.

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. 196 dated 28.11.2014 for offence punishable under Sections 498-A, 406 and 506 read with Section 34 IPC registered with Police Station City Gurdaspur, District Gurdaspur and proceedings emanating therefrom on the basis of compromise dated 07.01.2017, stand quashed qua the petitioners.

(Rekha Mittal)
Judge

07.04.2017
mohan bimbira

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