

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

-.-

Crl. Misc. M 19650 of 2016
Date of decision: 23.01.2017

Vikas Aggarwal and others *Petitioners*

Versus

State of Punjab and another *Respondents*

Coram: Hon'ble Mrs. Justice Rekha Mittal

-.-

Present: Mr. Goldy Jakhar, Advocate for
Mr. H S Brar, Advocate
for the petitioners
Mr. Navdeep Singh, DAG, Punjab
Mr. J S Dhaliwal, 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. 275 dated 10.12.2015 for offence punishable under Sections 406 and 498-A of the Indian Penal Code (in short, 'IPC') registered with Police Station Phillaur, District Jalandhar and proceedings emanating therefrom on the basis of compromise dated 03.05.2016 (Annexure P-2) arrived at between the parties.

Counsel for the petitioners states that the petitioner and respondent No. 2 have mutually decided to resolve their personal differences and also decided to part ways vide compromise deed dated 03.05.2016.

Vide order dated 20.10.2016, 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 Sub Divisional Judicial Magistrate, Phillaur 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.

Counsel for respondent No. 2 submits that he has no objection if the FIR and 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. 275 dated 10.12.2015 for offence punishable under Sections 406 and 498-A IPC registered with Police Station Phillaur, District Jalandhar and proceedings emanating therefrom on the basis of compromise dated 03.05.2016 stand quashed qua the petitioners.

(Rekha Mittal)
Judge

23.01.2017
mohan bimbra

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