

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

-.-

Crl. Misc. M 25739 of 2015
Date of decision: 14.03.2017

Nasib Singh

..... Petitioner

Versus

State of Punjab and another

.....Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

-.-

Present: Mr. Manpreet Singh Longia, Advocate
for the petitioner

Mr. Mikhail Kad, AAG, Punjab

Mr. J S Gill, Advocate
for respondent No. 2 and 3

-.-

Rekha Mittal, J.

Through the present petition filed under Section 482 of the Code of Criminal Procedure (in short, 'Cr.P.C.'), the petitioner prays for quashing of FIR No. 52 dated 30.03.2011 for offence punishable under Sections 323, 324 and 354 of the Indian Penal Code (in short, 'IPC') registered with Police Station Morinda, District Rupnagar and proceedings emanating therefrom on the basis of compromise dated 03.07.2015 (Annexure P-3) arrived at between the parties.

Counsel for the petitioners states that the parties have mutually decided to resolve their personal differences and also decided to part ways vide compromise deed dated 03.07.2015. He has further submitted that Resham Kaur-complainant/respondent No. 2 is daughter-in-law of the

petitioner and aforesaid FIR is the result of marital disharmony between respondent No. 2 and her husband Jagtar Singh and marriage between them has been dissolved by a decree of divorce dated July 3, 2015 passed by the District Judge, Ropar.

Vide order dated 09.11.2016, 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 Additional Chief Judicial Magistrate, Rupnagar, 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 respondents No. 2 and 3 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. 52 dated 30.03.2011 for offence punishable under Sections 323, 324 and 354 IPC registered with Police Station Morinda, District Rupnagar and proceedings emanating therefrom on the basis of compromise dated 03.07.2015, stand quashed qua the petitioner.

(Rekha Mittal)
Judge

14.03.2017
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Whether speaking/reasoned	:	Yes/No
whether reportable	:	Yes/No