

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

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Crl. Misc. M 2632 of 2017
Date of decision: 28.04.2017

Navneet Singh Minhas

..... Petitioners

Versus

State of Punjab and another

.....Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

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Present: Mr. G S Brar, Advocate
for the petitioner

Mr. Mikhail Kad, AAG, Punjab
for the respondent – State

Mr. Rohit Joshi, Advocate
for Respondent No. 2

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1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporter or not?
3. Whether the judgment should be reported in the Digest?

Rekha Mittal, J.

Through the present petition filed under Section 482 of the Code of Criminal Procedure (in short, 'the Code'), the petitioner prays for quashing of FIR No. 02 dated 02.01.2013 for offence punishable under Sections 406 and 498-A of the Indian Penal Code (in short, 'IPC') registered with Police Station Women Cell Jalandhar (Annexure P1) and proceedings emanating therefrom on the basis of compromise.

In the present case, aforesaid FIR was got registered at the

behest of complainant – Rupinder Kaur. Now, all the differences between respondent-wife and petitioner-Navneet Singh Minhas have been settled and in pursuance thereof, they filed a joint petition for divorce by way of mutual consent in November 2014 in the Court at Jalandhar. It is further submitted that statements of the parties in second motion were recorded on 28.05.2015 and on the basis thereof, a decree of divorce by way of mutual consent (Annexure P5) was passed by the District Judge, Jalandhar on 28.05.2015.

Complainant has appeared in person and got recorded her statement that she has already received an amount of Rs.5,00,000.00 in view of compromise arrived at between the parties and a decree of divorce by way of mutual consent under Section 13-B of the Hindu Marriage Act, 1955 has been passed on 28.05.2015.

Counsel for the State of Punjab and respondent No. 2 do not dispute genuineness of the compromise arrived at between the parties in view of statement got recorded by the complainant in Court.

A perusal of the allegations of the FIR in the instant case 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 of the Code.

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. 02 dated 02.01.2013 for offence punishable under Sections 406 and 498-A IPC registered with Police Station Women Cell Jalandhar (Annexure P1) and proceedings emanating therefrom on the basis of compromise, stand quashed qua the petitioner.

(Rekha Mittal)
Judge

28.04.2017
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whether reasoned/speaking	:	Yes/No
Whether reportable	:	Yes/No