

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

-.-

Crl. Misc. M 28209 of 2016
Date of decision: 07.04.2017

Pargat Singh and others

..... Petitioners

Versus

State of Punjab and another

.....Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

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Present: Mr. Ajay Pal Singh Rehan, Advocate
for the petitioners

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

Mr. Sharad Aggarwal, 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 petitioners have prayed for quashing of FIR No. 0079 dated 03.05.2016 for offence punishable under Sections 406 and 498-A of the Indian Penal Code (in short, 'IPC') registered with Police Station Kamboj, Police District Amritsar Rural, District Amritsar (Annexure P1) and proceedings emanating therefrom on the basis of compromise dated 06.04.2017, Ex.C1, arrived at between the parties.

In the present case, aforesaid FIR was got registered at the behest of complainant – Manpreet Kaur daughter of Dilbag Singh. Now, all the differences between respondent-wife and petitioner No. 1-Pargat Singh and his family members have been settled and in pursuance thereof, the complainant has resumed cohabitation and is residing in her matrimonial home. To that effect, complainant-Manpreet Kaur has also got recorded her statement in Court. Pargat Singh-Petitioner No. 1 and Manpreet Kaur-complainant have also filed their affidavits separately in Court stating that they have compromised the matter without any pressure.

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. They have also stated that none of the petitioners has absented from the proceedings nor any proceedings declaring them as PO are pending.

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. 0079 dated 03.05.2016 for offence punishable under Sections 406 and 498-A IPC registered with Police Station Kamboj, Police District Amritsar Rural, District Amritsar and proceedings emanating therefrom on the basis of compromise dated 06.04.2017 arrived at between the parties, stand quashed qua the petitioners.

(Rekha Mittal)
Judge

07.04.2017
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whether reasoned/speaking	:	Yes/No
Whether reportable	:	Yes/No