

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

-.-

Crl. Misc. M 28407 of 2016
Date of decision: 01.03.2017

Kamaldeep and others

..... Petitioners

Versus

State of Punjab and another

.....Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

-.-

Present: Mr. Rajesh Puri, Advocate
for the petitioners

Mr. Mikhail Kad, AAG, Punjab

Mr. Gagandeep Singh Chhina, 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. 05 dated 07.01.2016 for offence punishable under Sections 498-A, 323, 307, 506 read with Section 34 of the Indian Penal Code (in short, 'IPC') registered with Police Station Doraha, Police District Khanna, District Ludhiana and proceedings emanating therefrom on the basis of compromise/settlement dated 18.07.2016 (Annexure P-3) arrived at between petitioner No. 1 and respondent No. 2.

Counsel for the petitioners states that petitioner No. 1 and respondent No. 2 have mutually decided to resolve their personal differences and also decided to part ways vide compromise/settlement dated

18.07.2016.

Petitioner No. 1 and respondent No. 2 are present in Court. Complainant/Respondent No. 2 has got recorded her statement in Court that the aforesaid FIR was got registered at her instance as there was marital discord between her, her husband and his family members. Now, the entire dispute has been resolved by way of compromise/settlement dated 18.07.2016 arrived at in the Mediation and Conciliation Centre of this Court and she has got no objection if the aforesaid FIR and proceedings emanating therefrom are ordered to be quashed.

Counsel for the State as well as respondent No. 2 do not dispute genuineness of compromise/settlement arrived at between the parties in Mediation and Conciliation Centre of this Court.

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. 05 dated 07.01.2016 for offence punishable under Sections 498-A, 323, 307, 506 read with Section 34 IPC registered with Police Station Doraha,

Police District Khanna, District Ludhiana and proceedings emanating therefrom on the basis of compromise/settlement dated 18.07.2016, stand quashed qua the petitioners. The parties shall remain bound by the terms and conditions of compromise/settlement.

(Rekha Mittal)
Judge

01.03.2017
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Whether speaking/reasoned	:	Yes/No
whether reportable	:	Yes/No