

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

**CRM No.M-2828 of 2017
Decided on: 24.04.2017**

Anoop and others

....Petitioners

Versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MRS JUSTICE REKHA MITTAL

Present : Mr. B.D. Sharma, Advocate for the petitioners.

Mr. Mikhail Kad, AAG, Punjab.

Mr. A.S. Khinda, Advocate for respondent No.2.

REKHA MITTAL, J. (Oral)

The petitioners have prayed for quashing of FIR No.133 dated 15.07.2016, for offence under Sections 498-A and 406 of the Indian Penal Code (in short 'IPC') registered in Police Station City Kapurthala, District Kapurthala on the basis of compromise dated 18.01.2017 (Annexure P2) effected between the parties.

The parties were directed to appear before the Illaqa Magistrate on 10.03.2017 to get their statements recorded with regard to genuineness of compromise.

A report has been submitted by the Chief Judicial Magistrate, Kapurthala, wherein it has been reported that statements of the petitioners and respondents No.2 (complainant) have been recorded and statements made by the parties in the Court reveal that they have voluntarily entered into a compromise with an intention to live in peace and harmony.

Counsel for the State has not disputed that the parties i.e.

petitioners and respondent No.2 have arrived at a settlement with an intent to give burial to their differences.

I have heard counsel for the parties and perused the case file.

Perusal of allegations in the FIR reveals that the present case squarely falls in the category of cases that can be quashed by the High Court, in exercise of its inherent power under Section 482 of the Code. Keeping in view authoritative enunciation of law laid down by Hon'ble the Supreme Court of India in “*Gian Singh vs 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 view of what has been discussed hereinabove, the petition is allowed and FIR No.133 dated 15.07.2016, for offence under Sections 498-A and 406 IPC registered in Police Station City Kapurthala, District Kapurthala and proceedings emanating therefrom are ordered to be quashed, *qua* the petitioners.

24.04.2017
yakub

(REKHA MITTAL)
JUDGE

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