

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

-.-

Crl. Misc. M 33518 of 2016
Date of decision: 15.03.2017

Pritpal Singh

..... Petitioner

Versus

State of Punjab and another

.....Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

-.-

Present: Mr. Vijay Pal, Advocate
for the petitioner

Mr. Mikhail Kad, AAG, Punjab

Ms Amarpreet Kaur, 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 petitioner prays for quashing of FIR No. 47 dated 23.08.2012 for offence punishable under Sections 406 and 498-A of the Indian Penal Code (in short, 'IPC') registered with Police Station Women Cell, Jalandhar City District Jalandhar and proceedings emanating therefrom on the basis of compromise dated 03.08.2016 (Annexure P-2) arrived at between the parties.

Counsel for the petitioner states that the petitioners and respondent No. 2 have mutually decided to resolve their personal differences and also decided to part ways vide compromise deed dated 03.08.2016.

On the last date of hearing i.e. 27.02.2017, respondent No.2 appeared in person in Court and got recorded her statement that dispute between her and her husband has been settled by way of compromise and in pursuance thereof, they have filed a joint petition for divorce under section 13-B of the Hindu Marriage Act, 1955.

Counsel for the State does not dispute genuineness of compromise in view of statement got recorded by respondent No. 2 before this Court.

Counsel for respondent No. 2 has submitted that a sum of Rs.15,00,000.00 has been received by respondent No. 2 and she has no objection if aforesaid FIR and proceedings emanating therefrom are ordered to be quashed.

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. 47 dated 23.08.2012 for offence punishable under Sections 406 and 498-A IPC registered with Police Station Women Cell, Jalandhar City District Jalandhar and proceedings emanating therefrom on the basis of

compromise dated 03.08.2016, stand quashed qua the petitioner. The parties shall remain bound by the terms and conditions of compromise.

(Rekha Mittal)
Judge

15.03.2017
mohan bimbra

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