

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

-.-

Crl. Misc. M 37572 of 2016

Date of decision: 31.05.2017

Ranjit Singh and others

..... Petitioners

Versus

State of Punjab and another

..... Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

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Present: Mr. G S Simble, Advocate
for the petitioners

Mr. Mikhail Kad, AAG, Punjab

Mr. Gurmeet Singh, Advocate
for respondent No. 2

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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. 33 dated 19.05.2015 for offence punishable under Sections 498-A, 406 and 506 of the Indian Penal Code (in short, 'IPC') registered with Police Station Fatehgarh Churian, Police District Batala and proceedings emanating therefrom on the basis of compromise dated 26.10.2016 (Annexure P-2) arrived at between the parties.

Counsel for the petitioners states that petitioner No. 1 and respondent No. 2 have resolved their personal differences and a decree of divorce by way of mutual consent under Section 13-B of the Hindu Marriage Act, 1955 has also been granted vide judgment dated 08.07.2016 passed by the Additional Civil Judge (Senior Division), Batala.

Vide order dated 14.03.2017, the parties were directed to appear before the Illaqa Magistrate to get their statements recorded with

regard to genuineness of compromise.

Pursuant thereto, a report has been submitted by the Judicial Magistrate Ist Class, Batala, wherein it has been reported that statements of the parties have been recorded and they have voluntarily compromised the matter.

Counsel for the State does not dispute genuineness of the compromise in view of report of the Court below.

Counsel for respondent No. 2 concedes to the position.

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. 33 dated 19.05.2015 for offence punishable under Sections 498-A, 406 and 506 IPC registered with Police Station Fatehgarh Churian, Police District Batala and proceedings emanating therefrom on the basis of compromise stand quashed qua the petitioners.

(Rekha Mittal)
Judge

31.05.2017
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Whether speaking/reasoned : Yes/No
whether reportable : Yes/No