

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

-.-

Crl. Misc. M 39838 of 2016

Date of decision: 26.04.2017

Hardev Singh and another

..... Petitioners

Versus

Sandeep Kaur alias Vicky and another

.....Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

-.-

Present: Mr. S S Joshi, Advocate
for the petitioners

None for respondent No. 1

Mr.Mikhail Kad, AAG, Punjab

-.-

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. 97 dated 31.10.2015 for offence punishable under Sections 498-A and 406 of the Indian Penal Code (in short, 'IPC') registered with Police Station Sadar Sangrur and proceedings emanating therefrom on the basis of compromise dated 19.11.2015 (Annexure P-2) arrived at between the parties.

Counsel for the petitioners states that petitioner No. 1 and respondent No. 1/complainant have mutually decided to resolve their personal differences and also decided to part ways vide compromise deed dated 19.11.2015.

Vide order dated 15.12.2016, the parties were directed to appear before the Illaqa Magistrate/trial Court to get their statements recorded with regard to genuineness of compromise.

Pursuant thereto, a report has been submitted by the Additional

Chief Judicial Magistrate, Sangrur 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.

There is no representation on behalf of respondent No. 1/complainant.

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. 97 dated 31.10.2015 for offence punishable under Sections 498-A and 406 IPC registered with Police Station Sadar Sangrur and proceedings emanating therefrom on the basis of compromise dated 19.11.2015, stand quashed qua the petitioners. The parties shall remain bound by the terms and conditions of compromise.

(Rekha Mittal)
Judge

26.04.2017
mohan bimbira

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