

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

-.-

Crl. Misc. M 39999 of 2016
Date of decision: 16.02.2017

Dev Karan and others

..... Petitioners

Versus

State of Punjab and another

.....Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

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Present: None for the petitioners

Mr. Mikhail Kad, AAG, Punjab

None 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. 45 dated 26.03.2013 for offence punishable under Sections 498-A and 406 of the Indian Penal Code (in short, 'IPC') registered with Police Station City Muktsar, District Sri Muktsar Sahib and proceedings emanating therefrom on the basis of compromise dated 04.11.2016 (Annexure P-2) arrived at between the parties.

In the present case, matrimonial discord between petitioner No. 1 and respondent No. 2 led to filing of said FIR. As per pleadings, the matter has been compromised between the parties and they have decided to part ways vide compromise deed dated 04.11.2016.

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

Pursuant thereto, a report has been submitted by the Chief Judicial Magistrate, Sri Muktsar Sahib 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 the report of trial Court.

There is no representation on behalf of complainant/respondent No. 2.

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. 45 dated 26.03.2013 for offence punishable under Sections 498-A and 406 IPC registered with Police Station City Muktsar, District Sri Muktsar Sahib and proceedings emanating therefrom on the basis of compromise

dated 04.11.2016, stand quashed qua the petitioners. The parties shall remain bound by the terms and conditions of compromise.

(Rekha Mittal)
Judge

16.02.2017
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Whether speaking/reasoned	:	Yes/No
whether reportable	:	Yes/No