

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

**CRM No.M-677 of 2016
Decided on: 09.01.2017**

Mandeep Singh and others

....Petitioners

Versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MRS JUSTICE REKHA MITTAL

Present : Mr. Arun Singla, Advocate
for Mr. K.S. Chahal, Advocate
for the petitioners.

Mr. Mikhail Kad, AAG, Punjab.

Mr. D.V. Mehta, Advocate
for respondent No.2.

REKHA MITTAL, J. (Oral)

The petitioners have prayed for quashing of FIR No.26 dated 06.05.2015, for offence under Sections 406 and 498-A of the Indian Penal Code (in short 'IPC') registered in Police Station Women, District Patiala on the basis of compromise dated 08.12.2015 effected between the parties.

The parties were directed to appear before the trial Court on 01.09.2016 to get their statements recorded with regard to genuineness of compromise.

A report has been submitted by the Judicial Magistrate Ist Class, Patiala, 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 respondent No.2/complainant has submitted that respondent No.2 has already received an amount of Rs.20,00,000/- out of Rs.23,60,000/- agreed between the parties and the remaining amount of Rs.3,60,000/- is to be withdrawn by the complainant from WWICS. It is further submitted that the petitioners may be directed to facilitate in withdrawal of the said amount by the complainant.

Counsel for the petitioners, in reply, has submitted that the petitioners have got no objection with regard to withdrawal of Rs.3,60,000/- by the complainant from WWICS and they are ready to comply with formalities, if any, to enable the complainant to withdraw the said amount.

Counsel for the State has not disputed correctness of assertions of the petitioners that the matter has been settled by way of compromise between the parties.

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.26 dated 06.05.2015, for offence under Sections 406 and 498-A IPC registered in Police Station Women, District Patiala and proceedings emanating therefrom are ordered to be quashed, *qua* the petitioners.

09.01.2017
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(REKHA MITTAL)
JUDGE

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