

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

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Crl. Misc. M 8936 of 2016 (O&M)

Date of decision: 02.03.2017

Angrej Singh and others

..... *Petitioners*

Versus

State of Punjab and others

.....*Respondents*

Coram: Hon'ble Mrs. Justice Rekha Mittal

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Present: Mr. Vipin Mahajan, Advocate
for the petitioners

Mr. Mikhail Kad, AAG, Punjab

Mr. A P S Rehan, Advocate
for respondents No. 2 and 3

-.-

Rekha Mittal, J.

CRM 6451 of 2017

Notice of the application to counsel for the non-applicants/
respondents.

Counsel for the non-applicants/respondents have got no
objection if the application is allowed.

Heard.

In view of averments made in the application supported by an
affidavit of Angrej Singh, one of the petitioners, the application is allowed
and amended petition is taken on record.

Main case

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. 207 dated 10.10.2007 for offence punishable under Sections 406 and 498-A of the Indian Penal Code (in short, 'IPC') registered with Police Station Sadar Gurdaspur and proceedings emanating therefrom on the basis of compromise (Annexure P-5) arrived at between the parties.

Counsel for the petitioners states that petitioner No. 1 and respondent No. 3 have mutually decided to resolve their personal differences and also decided to part ways. Further, as per affidavit of Sarabjeet Singh-petitioner No. 5 filed in Court today that he was earlier declared as proclaimed offender but later on he has been granted regular bail by the Court below and divorce between petitioner No. 1 and respondent No. 3 under Section 13-B of the Hindu Marriage Act, 1955 has been accepted vide order dated 10.08.2016 passed by Additional District Judge, Gurdaspur.

Vide order dated 15.03.2016, 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 Judicial Magistrate Ist Class, Gurdaspur, 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.

Counsel for respondents No. 2 and 3 has also conceded 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. 207 dated 10.10.2007 for offence punishable under Sections 406 and 498-A IPC registered with Police Station Sadar Gurdaspur and proceedings emanating therefrom on the basis of compromise, stand quashed qua the petitioners. The parties shall remain bound by the terms and conditions of compromise.

(Rekha Mittal)
Judge

02.03.2017
mohan bimbira

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