

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

CRM No.M-7513 of 2017 (O&M)

Date of Decision:23.05.2017

Aman Kumar

--Petitioner

Versus

State of Punjab & another

--Respondents

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. V.K. Kaushal, Advocate for the petitioner.

Mr. P.S. Madahar, AAG, Punjab.

Mr. Prashant Vashisht, Advocate for respondent No.2.

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TEJINDER SINGH DHINDSA, J.

The instant petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.101, dated 11.08.2014, under Section 380 IPC, registered at Police Station Bhindi Saidan, Amritsar Rural, District Amritsar and all proceedings emanating therefrom.

Since quashing was sought on the basis of compromise, this Court while issuing notice of motion on 06.03.2017 had directed the parties to appear before the Illaqa Magistrate concerned for recording of their statements in support of the compromise. A veracity report as regard genuineness was also called for.

Placed on record is a report dated 12.04.2017 of the learned Judicial Magistrate 1st Class, Ajanala and a perusal of the same would reveal that statements of the complainant/respondent No.2 herein as also of the accused/petitioner have been duly recorded and it has been opined that the compromise has been effected between the parties without any fear,

pressure or coercion.

Mr. Prashant Vashisht, Advocate has put in appearance on behalf of respondent No.2/complainant and states that he would have no objection to the quashing of the FIR in the light of the settlement that has been arrived at.

This Court in appropriate cases can exercise the power under Section 482 Cr.P.C. for quashing of criminal proceedings/FIR on the basis of compromise. A reference in this regard may be made to a Full Bench decision of this Court in *Kulwinder Singh & others Vs. State of Punjab & others, 2007 (3) RCR (Criminal) 1052*.

Adverting back to the facts of the present case, the complainant is none other than the wife of the present petitioner. The parties have amicably resolved their differences and are stated to be living together in the matrimonial home.

In view of the above, it would be a fit case for this Court to exercise powers under Section 482 Cr.P.C. and bring to an end the prosecution initiated in the light of the impugned FIR.

For the reasons recorded above, the present petition is allowed. FIR No.101, dated 11.08.2014, under Section 380 IPC, registered at Police Station Bhindi Saidan, Amritsar Rural, District Amritsar and all proceedings emanating therefrom stand quashed.

Petition allowed in the aforesaid terms.

23.05.2017

harjeet

(TEJINDER SINGH DHINDSA)
JUDGE

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| i) | Whether speaking/reasoned? | Yes |
| ii) | Whether reportable? | No |