

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

-.-

CrI. Misc. M 9782 of 2017

Date of decision: 30.05.2017

Deepak Kumar and another

..... Petitioners

Versus

State of Punjab and another

..... Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

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Present: Mr. Naveen Sharma, Advocate
for the petitioners

Mr. Mikhail Kad, AAG, Punjab

Mr. Surinder Sharma, Advocate
for respondents No. 2 and 3

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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. 56 dated 06.07.2013 for offence punishable under Sections 406 and 498-A of the Indian Penal Code (in short, 'IPC') registered with Police Station Women Cell, Jalandhar City, District Jalandhar and proceedings emanating therefrom on the basis of compromise dated 18.02.2017 (Annexure P-2) arrived at between the parties.

Counsel for the petitioners states that petitioner No. 1-husband and respondent No. 3-wife have mutually resolved their differences and they are residing together as husband and wife.

Vide order dated 22.03.2017, 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, Jalandhar, 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.

Counsel for respondents No. 2 and 3 concedes 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. 56 dated 06.07.2013 for offence punishable under Sections 406 and 498-A IPC registered with Police Station Women Cell, Jalandhar City, District Jalandhar and proceedings emanating therefrom on the basis of compromise stand quashed qua the petitioners.

(Rekha Mittal)
Judge

30.05.2017
mohan bimbura

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