

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

Sr. No.266

CRM-M-23498-2017
Date of decision : 30.01.2018

Banwar Lal and another

..... Petitioners

VERSUS

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Anil Kumar, Advocate, for the petitioners.

Mr. Kirat Singh Sidhu, DAG, Punjab.

Mr. Suresh Kumar, Advocate, for respondent No.2.

SUDHIR MITTAL, J. (Oral)

This is a petition filed under Section 482 Cr.P.C. for quashing of FIR No.74 dated 08.04.2017, registered at Police Station Sultanwind, Amritsar, under Sections 308 and 323 read with Section 34 IPC and all consequential proceedings arising therefrom on the basis of compromise (Annexure P-2) arrived at between the parties.

Pursuant to order dated 06.07.2017, report dated 25.08.2017, has been received from Ms. Manu Mittu, Judicial Magistrate Ist Class, Amritsar, according to which, except Mangal Raj (petitioner No.2) and Sanjay (respondent No.5), statements of all other persons were recorded. Subsequent, report dated 19.09.2017 has also been received, in which it is mentioned that aforesaid Mangal Raj (petitioner No.2) and Sanjay (respondent No.5) have also got recorded their statements. It is also clear that the compromise is genuine and without any pressure or coercion.

The said FIR is the outcome of matrimonial dispute between Banwar Lal (petitioner No.1) and Jyoti (respondent No.4). Even though, the compromise has been effected soon after presentation of challan, but being a matrimonial dispute, quashing of the FIR would result in reiteration of peace between the families.

In view of the above, the present petition is allowed and FIR No.74 dated 08.04.2017, registered at Police Station Sultanwind, Amritsar, under Sections 308 and 323 read with Section 34 IPC alongwith all consequential proceedings arising therefrom, is quashed.

(SUDHIR MITTAL)
JUDGE

January 30, 2018
Ramandeep Singh

Whether speaking / reasoned
Whether Reportable

Yes / No
Yes/ No