

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

CRM-M-6366-2019 (O&M)

Date of decision: 14.3.2019

Rakesh Kumar and others

...Petitioner(s)

VERSUS

State of Punjab and another

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Liaqat Ali, Advocate,
for the petitioner(s).

Mr. V.G. Jauhar, Sr. DAG, Punjab.

Mr. Seema Rani respondent No.2 in person.

RAJ SHEKHAR ATTRI, J.

By invoking Section 482 Cr.P.C., the petitioner(s) has prayed for quashing of FIR No. 67 dated 8.4.2017 for offence punishable under Sections 406, 498-A of the Indian Penal Code registered at Police Station Goraya, District Jalandhar Rural, order dated 25.5.2018 (Annexure P-2) and proceedings emanating therefrom on the basis of compromise/statements in the divorce petition under Section 13-B of Hindu Marriage Act.

In the present case, the FIR was registered on the statement of Seema Rani daughter of Mohinder Singh. Now, dispute between the parties has been resolved by way of compromise compromise/statements in the divorce petition under Section 13-B of Hindu Marriage Act.

Today, Smt. Seema Rani respondent No.2-complainant has placed on record her affidavit in which she has categorically stated that a

compromise has been effected between the parties. The affidavit is taken on record.

Statements of the parties have been recorded before the court below in a petition filed under Section 13-B of the Hindu Marriage Act for dissolution of marriage.

Counsel for the State and respondent No. 2 who is present in Court, have not disputed that the parties i.e. petitioner and respondent No.2 (complainant) have arrived at a settlement with an intent to give burial to their differences.

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 Cr.P.C. Keeping in view 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 discussed hereinbefore, 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 the same are put to an end.

For the foregoing reasons, the petition is allowed, FIR No. 67 dated 8.4.2017 under Sections 406, 498A IPC registered at Police Station Goraya, District Jalandhar Rural, order dated 25.5.2018 and proceedings emanating therefrom stand quashed qua the petitioner(s).

March 14, 2019

Paritosh Kumar

**(RAJ SHEKHAR ATTRI)
JUDGE**

Whether speaking/reasoned	:	yes/no
Whether reportable	:	yes/no