

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

**CRM M-51251-2018 (O&M)
Date of Decision : 25.04.2019**

Subhash Kumar and others

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present : Sh. Subhash Kumar petitioner No.1 in person.

RAJ SHEKHAR ATTRI, J. (Oral)

By invoking Section 482 Cr.P.C., the petitioners have prayed for quashing of FIR No.0041 dated 14.10.2016, registered under Sections 406, 498-A IPC, at Police Station Women Cell, SAS Nagar, Mohali and proceedings emanating therefrom on the basis of compromise arrived at between the parties.

In the present case, the FIR was registered on the statement of Smt. Neha Puri daughter of Rajesh Kumar. Now, dispute between the parties has been resolved by way of compromise.

Vide orders dated 13.12.2018 and 14.02.2019, the parties were directed to appear before the trial Court/Illaq Magistrate to get their statements recorded with regard to genuineness of compromise.

Pursuant thereto, a report has been submitted by the learned Judicial Magistrate Ist Class, Dera Bassi wherein it has been reported that statements of the parties have been recorded and they have voluntarily compromised the matter.

After going through the material available on record especially the aforesaid report of the learned court below, it is clear that the parties willfully have arrived at a settlement with an intent to give burial to their differences. Petitioner No.1 Subhash Kumar, who is present in person before this Court, has also stated that compromise has been effected between the parties.

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.0041 dated 14.10.2016, registered under Sections 406, 498-A IPC, at Police Station Women Cell, SAS Nagar, Mohali and proceedings emanating therefrom stand quashed qua the petitioners.

25.04.2019
mamta

(RAJ SHEKHAR ATTRI)
JUDGE

Whether speaking/reasoned
Whether Reportable :

Yes/No
Yes/No