

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

Sr. No.232

CRM-M-28572-2020

Date of decision: 16.12.2020

Harpreet Singh and another

....Petitioners

versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Ashok Giri, Advocate
for the petitioners.

Mr. Sidakmeet Singh Sandhu, AAG, Punjab.

Mr. Arjun Kundra, Advocate
for respondent No.2.

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DEEPAK SIBAL, J. (Oral)

Case taken up through video conferencing.

The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.53 dated 21.07.2017 registered under Sections 406, 498-A, 506 IPC at Police Station Satnampura, Phagwara, District Kapurthala and all subsequent proceedings arising therefrom on the basis of the compromise dated 10.09.2018 (Annexure P-3).

On 16.11.2020 this Court had directed the parties to appear before the Illaqa Magistrate/Trial Court on 25.11.2020 for recording of their respective statements with regard to the compromise/settlement, who in turn was directed to submit a report along with the recorded statements with regard to the veracity of the compromise, if any, between the parties as also to apprise this Court whether the accused were ever declared as proclaimed offenders and if is there any other case pending against them.

As directed, report dated 26.11.2020 from the Sub-Divisional Judicial Magistrate, Kapurthala has been received, as per which the parties had recorded their statements before the Trial Court in terms of the compromise arrived at between them; no other case is pending against the petitioner and also no proclamation proceedings are pending against him.

Learned State counsel has also raised no objection if the present petition is allowed.

In view of the above, continuation of the proceedings in pursuance of the afore-referred FIR which pertains to a matrimonial dispute between the parties; investigation is at the initial stage and the matter having been compromised, would be an abuse of the process of law and in terms of the law laid down by the Full Bench of this Court in *Kulwinder Singh and others Vs. State of Punjab and others*, 2007 (3) RCR (Criminal), 1052, this Court deems it just and proper to allow the petition and resultantly quash the FIR No.53 dated 21.07.2017 registered under Sections 406, 498-A, 506 IPC at Police Station Satnampura, Phagwara, District Kapurthala and all proceedings arising therefrom, qua the petitioners.

(DEEPAK SIBAL)
JUDGE

December 16, 2020
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Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No