

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-27998-2020

DATE OF DECISION: 28.10.2020

MOHIT AGARWAL AND OTHERS

... Petitioner (s)

Versus

STATE OF PUNJAB AND ANOTHER

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Vishal Goel, Advocate
for the petitioners.

Mr. Dhruv Dayal, Senior DAG, Punjab.

Mr. Bhupinder Singh, Advocate for respondent No.2.

ANUPINDER SINGH GREWAL, J. (ORAL)

Heard through video conferencing.

The petitioners are seeking quashing of FIR No. 4 dated 08.01.2020, under Sections 406 and 498-A of the Indian Penal Code, 1860, registered at Police Station Dhakoli, District SAS Nagar, on the basis of compromise arrived at between the parties.

Learned counsel for the petitioners contends that the FIR is the outcome of misunderstanding between the parties due to matrimonial dispute, which has now been settled. He also contends that petitioner No. 1 is the husband while his wife is the complainant/respondent No. 2.

Learned counsel for respondent No.2 states that the matter has indeed been compromised.

This Court vide order dated 16.09.2020 had directed the parties to appear before the Illaqa Magistrate/trial Court for recording their statements

and send a report as to whether the compromise has been arrived at without any coercion or undue influence. The report of the Judicial Magistrate Ist Class, Dera Bassi (Duty), dated 25.09.2020 has been received, wherein it is stated that in pursuance to the order of this Court, the statements of the parties were recorded which indicates that compromise which has been effected is genuine, voluntary and without undue influence.

The FIR is an outcome of a matrimonial dispute which has now been resolved and the matter has been compromised.

In view of the law laid down by the Supreme Court in the case of **Narinder Singh vs. State of Punjab 2014 (6) SCC 466**, no useful purpose will be served by continuing the criminal proceedings. It would, thus, be in the interest of justice to quash the FIR No. 4 dated 08.01.2020, under Sections 406 and 498-A of the Indian Penal Code, 1860, registered at Police Station Dhakoli, District SAS Nagar and all consequential proceedings are hereby quashed qua the petitioner(s).

(ANUPINDER SINGH GREWAL)
JUDGE

28.10.2020.

SwarnjitS

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