

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 236

CRM-M-28628-2020 (O&M)

Date of decision : 15.12.2020

Gurmeet Singh and others

..... Petitioners

VERSUS

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Amandeep Chhabra, Advocate, for the petitioners.

Mr.Sidakmeet Singh Sandhu, AAG, Punjab.

Mr.Amarpreet Singh, Advocate, for respondents No.2 and 3.

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.41 dated 04.10.2014 registered under Section 498-A IPC at Police Station Women Cell, district Bathinda on the basis of a compromise (Annexure P/2) entered into between the parties.

On 30.10.2020 this Court had directed the parties to appear before the Illaqa Magistrate/Trial Court on 09.11.2020 for recording of their respective statements with regard to the compromise, who in turn was directed to submit a report along with the recorded statements with regard to the veracity of the compromise between the parties as also to apprise this Court whether all the accused are party to the compromise; whether any of them have ever been declared proclaimed offender(s) and if is there any other criminal case pending against them.

As directed, report dated 09.11.2020 from the Judicial Magistrate Ist Class, Bathinda 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; the compromise is genuine, voluntary, without any pressure, coercion or undue influence; no proclamation proceedings are pending against the petitioners and that no other criminal case is pending against them.

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 arises from a matrimonial dispute between the parties and where the trial is at the initial stage and also 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 FIR No.41 dated 04.10.2014 registered under Section 498-A IPC at Police Station Women Cell, district Bathinda and all proceedings arising therefrom qua the petitioners.

15.12.2020
shamsher

[DEEPAK SIBAL]
JUDGE

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