

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

**Sr. No.226**

**CRM-M-28599-2020**

**Date of decision: 27.10.2020**

Chandermohan Chawla

....Petitioner

versus

State of Punjab and another

....Respondents

**CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL**

Present: Mr. Sandeep Sharma, Advocate  
for the petitioner.

Mr. J.S. Ghumman, DAG, Punjab.

Mr. Ravinder Singh Sampla, 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.112 dated 29.08.2019 registered under Sections 452, 454, 456, 506 IPC (Sections 458, 427 IPC added lateron), at Police Station Phase-8, SAS Nagar, Mohali and all subsequent proceedings arising out of it on the basis of the compromise(Annexure P-2).

On 18.09.2020 this Court had directed the parties to appear before the Illaqa Magistrate/Trial Court on 25.09.2020 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 16.10.2020 from the Chief Judicial Magistrate, SAS Nagar, Mohali 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 a matrimonial dispute between husband and wife who are living separately where the trial 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, I deem it just and proper to allow the petition and resultantly quash the FIR No.112 dated 29.08.2019 registered under Sections 452, 454, 456, 506 IPC (Sections 458, 427 IPC added lateron), at Police Station Phase-8, SAS Nagar, Mohali and all proceedings arising therefrom, qua the petitioner.

**(DEEPAK SIBAL)**  
**JUDGE**

**October 27, 2020**  
*Jyoti 1*

Whether speaking/reasoned  
Whether reportable

Yes/No  
Yes/No