

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 247

CRM-M-31786-2020

Date of decision : 10.12.2020

Deepak Verma and another

..... Petitioners

VERSUS

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.J.S.Thakur, Advocate, for the petitioners.

Mr.Joginder Pal Ratra, DAG, Punjab.

Mr.Charan Preet, Advocate, for respondent No.2.

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.195 dated 24.11.2019 registered under Sections 406, 498-A and 323 IPC at Police Station City Gurdaspur on the basis of a compromise (Annexure P-2) entered into between the parties.

On 08.10.2020 this Court had directed the parties to appear before the Trial Court/Illaq Magistrate on 09.11.2020 or any other date convenient to the Trial Court/Illaq Magistrate 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 genuineness of the compromise between the parties as also to apprise this Court whether any PO proceedings are pending against any of the party on or before the date fixed i.e. 08.12.2020.

As directed, report dated 12.11.2020 from the Chief Judicial Magistrate, Gurdaspur, 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 and that no person has been got declared as proclaimed offender.

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 investigation is at the initial stage as 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.195 dated 24.11.2019 registered under Sections 406, 498-A and 323 IPC at Police Station City Gurdaspur and all proceedings arising therefrom qua the petitioners.

10.12.2020

shamsher

[DEEPAK SIBAL]
JUDGE

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