

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

Sr. No.225

CRM-M-35280-2020

Date of decision: 17.12.2020

Parul Singh Kanda

....Petitioner

versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

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

Mr. Sidakmeet Singh Sandhu, AAG, Punjab.

Mr. Jitender Singh Dadwal, 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.0105 dated 02.11.2018 registered under Sections 406 and 498-A IPC, 1860 at Police Station Women Cell, District Ludhiana and all subsequent proceedings arising therefrom on the basis of the compromise dated 06.02.2020 (Annexure P-2).

On 02.11.2020, subject to deposit of Rs.20,000/- with the Punjab State Legal Services Authority, Chandigarh, the parties were directed to appear before the concerned Trial Court/Illaq Magistrate within one month for recording of their statements in support of the compromise between them and in turn the Trial Court/Illaq Magistrate 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 number of persons arrayed as accused in the FIR; whether the accused persons are involved in any other case and as to how many victims/complainants are there in the FIR.

As directed, report dated 02.12.2020 from the Judicial Magistrate, Ist Class, Ludhiana 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 complainant and all accused arrayed in the FIR had appeared and made their respective statements in support of the compromise so effected between them; the parties are not involved in any other case and no proclamation proceedings are 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 pertains to a matrimonial dispute between the parties; 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, this Court deems it just and proper to allow the petition and resultantly quash the FIR No.0105 dated 02.11.2018 registered under Sections 406 and 498-A IPC at Police Station Women Cell, District Ludhiana and all proceedings arising therefrom, qua the petitioners.

(DEEPAK SIBAL)
JUDGE

December 17, 2020

Jyoti 1

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No