

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

(Sr. No.214)

CRM-M No. 839 of 2020

Date of decision : 10.08.2021

Babli Sood

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. Manjinder Singh Saini, Advocate for the petitioner.

Mr. Jagmohan S. Ghumman, DAG, Punjab.

Mr. Vishal Sharma, Advocate for respondent No.2.

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DEEPAK SIBAL, J. (Oral)

The matter has been taken up through video conferencing.

The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No. 240 dated 14.07.2018 under Sections 379/120B IPC (Sections 420, 465, 467, 468, 471 IPC added later on) registered at Police Station Division No.5, Ludhiana, district Ludhiana on the basis of a compromise-Annexure P-2 entered into between the parties.

On 13.01.2020 this Court had directed the parties to appear before the Chief Judicial Magistrate, Ludhiana within one month 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 directed, report dated 02.03.2020 from the Chief Judicial Magistrate, Ludhiana has been received, as per which the parties had recorded their statements before the Chief Judicial Magistrate, Ludhiana in terms of the compromise arrived at between them and that no proclamation proceedings are pending against the petitioner.

Learned State counsel has also raised no objection if the present petition is allowed.

In view of the above, continuation of the proceedings qua the petitioner in pursuance of the afore-referred FIR which is based on a misunderstanding between a married couple; the trial of which 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 FIR No. 240 dated 14.07.2018 under Sections 379/120B IPC (Sections 420, 465, 467, 468, 471 IPC added later on) registered at Police Station Division No.5, Ludhiana, district Ludhiana and all proceedings arising therefrom but only qua the petitioner.

10.08.2021*sunil yadav***(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No