

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

Sr. No.237

CRM-M-35573-2020

Date of decision: 09.03.2021

Lovedeep Singh

....Petitioner

versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. G.S. Sandhu, Advocate
for the petitioner.

Mr. Sukhbeer Singh, Asstt. A.G, Punjab.

Ms. Rajwinder Kaur Sandhu, 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.010 dated 18.01.2020 registered under Sections 498-A, 406 IPC at Police Station Lambi, District Sri Muktsar Sahib and all subsequent proceedings arising therefrom on the basis of the compromise dated 23.10.2020 (Annexure P-2).

On 03.11.2020 this Court had directed the parties to appear before the Illaqa Magistrate/Trial Court 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 him.

As directed, report dated 15.01.2021 from the Sub-Divisional,

Judicial Magistrate, Malout 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 petitioner is the only accused in the present FIR; 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 to a matrimonial dispute between the parties; the investigation 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.010 dated 18.01.2020 registered under Sections 498-A, 406 IPC at Police Station Lambi, District Sri Muktsar Sahib and all proceedings arising therefrom, qua the petitioner.

(DEEPAK SIBAL)
JUDGE

March 09, 2021

Jyoti 1

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No