

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

(Sr. No.225)

CRM-M No. 44014 of 2020

Date of decision : 03.03.2021

Vivek Sood

.....Petitioner

Versus

State of U.T., Chandigarh and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Ms. Anchal Thakur, Advocate for the petitioner.
Mr. C. S. Bakshi, APP, U.T., Chandigarh.
Mr. R.C. Kapoor, 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.80 dated 26.07.2017 under Sections 406, 498A IPC registered at Women Police Station, Chandigarh on the basis of a compromise dated 20.12.2020 (Annexure P-3) entered into between the parties.

On 06.01.2021 this Court had directed the parties to appear before the Illaqa Magistrate/trial Court on 18.01.2021 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 also to apprise this Court whether all the accused are party to the compromise; whether any of them have ever been declared proclaimed offender(s) and if is there any

other criminal case pending against them.

As directed, report dated 16.02.2021 from the Judicial Magistrate Ist Class, Chandigarh, 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 proclamation proceedings/criminal case 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 in pursuance of the afore-referred FIR which arises from a matrimonial dispute between the parties; 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***, this Court deems it just and proper to allow the petition and resultantly quash FIR No.80 dated 26.07.2017 under Sections 406, 498A IPC registered at Women Police Station, Chandigarh and all proceedings arising therefrom qua the petitioner.

03.03.2021

sunil yadav

**(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No