

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 256

CRM-M-1674-2021

Date of decision : 05.05.2022

Baljit Singh

..... Petitioner

VERSUS

The State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Parunjeet Singh, Advocate, for the petitioner.

Mr.Saurav Khurana, DAG, Punjab.

Mr.Mohit Chaudhary, Advocate, for respondent No.2.

DEEPAK SIBAL, J. (ORAL)

The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.32 dated 30.04.2019 registered under Section 498-A IPC at Police Station Sekhwan, District Batala, Gurdaspur on the basis of a compromise dated 11.09.2020 (Annexure P-2) entered into between the parties.

On 13.01.2021 this Court had directed the parties to appear before the Illaqa Magistrate/Duty 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; whether any other persons have been nominated as accused; whether any persons have been declared proclaimed offender; whether challan has been filed and whether there is any cross case etc.

As directed, report dated 11.02.2021 from the Judicial Magistrate Ist Class, Batala 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 same is genuine and voluntary; only the petitioner has been nominated as accused; he has not been declared proclaimed offender and that the matter is pending at the stage of investigation

Learned State counsel has 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 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.32 dated 30.04.2019 registered under Section 498-A IPC at Police Station Sekhwan, District Batala, Gurdaspur and all proceedings arising therefrom qua the petitioner.

05.05.2022
shamsher

[DEEPAK SIBAL]
JUDGE

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