

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 258

CRM-M-4581-2021

Date of decision : 05.05.2022

Harshdeep Sharma and another

..... Petitioners

VERSUS

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.A.S.Samra, Advocate, for the petitioners.
Mr.Saurav Khurana, DAG, Punjab.
None 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.233 dated 08.12.2020 registered under Section 498-A IPC at Police Station City 1, Sangrur on the basis of a compromise Annexure P-2 entered into between the parties.

On 24.02.2021 this Court had directed the parties to appear before the Trial Court/Illaq 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 authenticity of the compromise as also to verify whether there is any other person involved in the occurrence, who is not a party to the present petition and whose consent for the compromise would be required.

As directed, report dated 06.04.2021 from the Chief Judicial Magistrate, Sangrur 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 has been arrived at voluntarily and without any pressure, coercion or undue influence; and except the petitioners no other persons is involved in the present case.

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.233 dated 08.12.2020 registered under Section 498-A IPC at Police Station City 1, Sangrur and all proceedings arising therefrom qua the petitioners.

05.05.2022
shamsher

[DEEPAK SIBAL]
JUDGE

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