

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

(Sr. No. 289)

CRM-M No.4775 of 2022

Date of decision : 16.05.2022

Daler Singh

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. Manbir Singh Basra, Advocate for the petitioner.

Mr. Saurav Khurana, DAG, Punjab.

Mr. Anupinder Brar, 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.0085 dated 10.11.2021 registered under Sections 498-A and 406 IPC at Police Station Purana Shalla, Gurdaspur on the basis of a written compromise (Annexure P-2).

On 07.02.2022, this Court had directed the parties to appear before the Illaqa Magistrate/Trial Court on 04.04.2022 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 P.O. proceedings are pending against any of the accused.

As directed, report dated 05.04.2022 from the Judicial Magistrate First Class, Gurdaspur 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 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 out of a matrimonial dispute and the matter having been compromised, would be an abuse of the process of law and in terms of the law laid down by a 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.0085 dated 10.11.2021 registered under Sections 498-A and 406 IPC at Police Station Purana Shalla, Gurdaspur and all proceedings arising therefrom qua the petitioner.

16.05.2022*sunil yadav***(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No