

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

263

CRM-M-5275-2021

Date of decision: 07.04.2022

Rupinder Singh and others

....Petitioners

Versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.J.S.Brar, 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.36 dated 03.11.2020 registered under Sections 406/498-A IPC at Police Station Women Cell, Bathinda, District Bathinda, on the basis of compromise dated 11.01.2021 (Annexure P-2) entered into between the parties.

On 04.02.2021, 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, who in turn was directed to submit a report with regard to the number of persons arrayed as accused in FIR; whether any accused is proclaimed offender; the stage of trial/proceedings and whether the compromise is genuine, voluntary and without any coercion or undue influence.

As directed, report dated 04.03.2021 from the Chief Judicial Magistrate, Bathinda has been received, as per which the parties had

recorded their statements before the Illaqa Magistrate/Trial Court in terms of the compromise arrived at between them; the petitioners are the only accused in the FIR who are not proclaimed offenders; the case is fixed for recording of prosecution evidence and that the compromise is genuine, voluntary and without any coercion or undue influence.

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 between the parties 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.36 dated 03.11.2020 registered under Sections 406/498-A IPC at Police Station Women Cell, Bathinda, District Bathinda, and all proceedings arising therefrom, qua the petitioners.

(DEEPAK SIBAL)
JUDGE

07.04.2022
neenu

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