

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.247

CRM-M-5676-2020

Date of decision: 06.07.2022

Sanjay Saini

....Petitioner

Versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Ankur Jain, Advocate, for the petitioner.

Mr. Saurav Khurana, DAG, Punjab.

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DEEPAK SIBAL, J. (Oral)

The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.90 dated 03.09.2015 registered under Sections 498-A, 417, 495, 496 and 506 IPC at Police Station Mahilpur, District Hoshiarpur and all subsequent proceedings arising out of it on the basis of a compromise dated 20.01.2020 (Annexure P-2).

On 11.02.2020 this Court had directed the parties to appear before the Illaqa Magistrate/Trial Court on 06.03.2020 for recording of their respective statements with regard to the compromise/settlement, who in turn was directed to submit a report along with the recorded statements with regard to the veracity of the compromise, if any, between the parties as also to apprise this Court as if any PO proceedings are pending against any of the party.

As directed, report dated 18.03.2020 from the Judicial Magistrate Ist Class, Garhshankar, 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 none of the accused has not been

declared a proclaimed offender.

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 originates from 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 the Supreme Court in **Narinder Singh vs. State of Punjab, (2014) 6 SCC 466**, this Court deems it just and proper to allow the petition and resultantly quash the FIR No.90 dated 03.09.2015 registered under Sections 498-A, 417, 495, 496 and 506 IPC at Police Station Mahilpur, District Hoshiarpur and all proceedings arising therefrom, qua the petitioner.

July 06, 2022
Jyoti 1

(DEEPAK SIBAL)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No