

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No.303

CRM-M-5425-2022

Date of decision : 16.05.2022

Satwinder Singh and others

..... Petitioners

VERSUS

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.B.K.Gupta, 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.114 dated 07.12.2019 registered under Sections 406 and 498-A IPC at Women Police Station, District Police Commissionerate, Jalandhar on the basis of a compromise dated 22.11.2021 (Annexure P-2) entered into between the parties.

On 09.02.2022 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 number of persons arrayed as accused; whether any of them is proclaimed offender; whether the compromise is genuine, voluntary and without any coercion or undue influence; whether the accused are involved in any other FIR or not. The Trial Court was further directed to record the statement of the investigating officer so as to know how many victims/complainants are there in the FIR and all the victims/complainants as well as accused are party to the compromise.

As directed, report dated 04.03.2022 from the Judicial Magistrate

Ist Class, Jalandhar 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; only the petitioners are arrayed as accused; they are not involved in any other case; they have not been declared proclaimed offenders; respondent No.2 is the only victim/complainant; the complainant and the accused had appeared before the Trial Court and made their respective statements with regard to the compromise and the compromise is genuine, voluntarily and without any pressure or coercion;

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 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.114 dated 07.12.2019 registered under Sections 406 and 498-A IPC at Women Police Station, District Police Commissionerate, Jalandhar and all proceedings arising therefrom qua the petitioners.

16.05.2022
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[DEEPAK SIBAL]
JUDGE

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