

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 252

CRM-M-5936-2021

Date of decision : 13.05.2022

Amandeep Singh Jakhu

..... Petitioner

VERSUS

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: None for the petitioner.

Ms.Gunkirat Kaur, AAG, 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.0087 dated 25.04.2020 registered under Section 498-A IPC at Police Station, Kartarpur, District Jalandhar on the basis of a compromise dated 22.01.2021 (Annexure P-2) entered into between the parties.

On 10.02.2021 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 veracity of the compromise; the names and number of the accused and whether any of them has been declared a proclaimed offender.

As directed, report dated 12.04.2021 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; the same is genuine, voluntary and without any coercion or undue influence; only the petitioner is arrayed as accused and that he has not been declared a proclaimed offender.

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.0087 dated 25.04.2020 registered under Section 498-A IPC at Police Station, Kartarpur, District Jalandhar and all proceedings arising therefrom qua the petitioner.

13.05.2022  
shamsher

[DEEPAK SIBAL]  
JUDGE

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