

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

258

CRM-M-6370 of 2021
Date of decision:04.05.2022

Amandeep Singh

... Petitioner

Vs.

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Ms. Puja Chopra, Advocate
for the petitioner.

Mr. Prabhjot Singh Walia, AAG, Punjab.

Mr. T.K.Gupta, Advocate
for respondent No.2.

SUVIR SEHGAL, J. (Oral)

Instant petition has been filed under Section 482 Cr.P.C seeking quashing of FIR No.111 dated 19.10.2018 registered under Sections 406, 498-A, 323, 506 of Indian Penal Code, 1860 at Police Station Women, District Patiala (Annexure P-1) and all consequential proceedings arising therefrom, on the basis of compromise dated 30.10.2018 (Annexure P-2).

Counsel for the petitioner submits that FIR (Annexure P-1) is an outcome of matrimonial dispute, which has been settled and the parties, who have two grown up children are happily residing together. She submits that although there was a spate of litigation *inter se* the parties, but all the cases have been withdrawn, vide orders, Annexures P-3 to P-6.

As per instructions received from ASI Baljinder Singh, State counsel submits that upon completion of investigation, a cancellation report has been submitted and offences under Sections 323, 498-A, IPC have been deleted.

Counsel representing respondent No.2 has admitted the statement made by counsel for the petitioner.

Heard counsel for the parties.

Vide order dated 16.02.2021, this Court directed the parties to appear before the Trial Court and to get their statements recorded. A report was called for from the Court concerned regarding validity and genuineness of the compromise as also regarding the details of the FIR and antecedents of the accused. Report has been received and its relevant extract is as under:-

“6. From the statements of the parties recorded, it appears that the said compromise has been effected voluntarily without any force, coercion or undue influence.

7. Further Trial Court is to submit a report containing the following information:-

As per statement of Investigating Officer, no other FIR is pending against accused. One person Amandeep Singh has been arrayed as accused in FIR No.111 dated 19.10.2018 under Sections 406, 498-A, 323, 506 IPC, Police Station, Women Cell Patiala. Accused Amandeep Singh has not been declared as proclaimed offender/person.”

FIR (Annexure P-1) is an outcome of trivial marital issue between the parties, which has been settled and the parties are residing together.

In view of the judgments of the Hon'ble Supreme Court in **Madan Mohan Abbot Versus State of Punjab (2008) 4 SCC 582, Parbatbhai Aahir alias Parbatbhai Bhimsinhbhai Karmur and others Versus State of Gujrat and another (2017) 9 SCC 641 and Narinder Singh and others Vs. State of Punjab and another (2014) 2 RCR (Criminal) 482**, this Court is of the opinion that continuation of criminal proceedings would not serve any purpose and setting aside the same would enable the parties to lead a peaceful and harmonious lives.

Accordingly, the petition is allowed. FIR No.111 dated 19.10.2018 registered under Sections 406, 498-A, 323, 506 of Indian Penal Code, 1860 at Police Station Women, District Patiala (Annexure P-1) and all subsequent proceedings arising therefrom, are quashed qua the petitioner.

May 04, 2022
savita

(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes
Whether Reportable	Yes