

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

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**CRM-M-6776 of 2022
Date of decision : 26.4.2022**

Kanwarsher Singh and others

.....Petitioners

Vs.

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. Kushagra Mahajan, Advocate, for the petitioners

Ms. Gunkirat Kaur, AAG, Punjab

Mr. M.S. Rana, Advocate, 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.79 dated 5.10.2015, registered under Sections 406, 498A, 120B IPC (Section 494 IPC added later on), at Police Station Women, District Amritsar, on the basis of a written compromise (Annexure P-2) entered into between the parties.

On 18.2.2022, 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 veracity of the compromise, as also to apprise whether all the accused are party to the compromise and whether any of them have ever been declared proclaimed offender(s) and if there is any other criminal case pending against them.

As directed, report dated 14.3.2022 from the Judicial Magistrate

Ist Class, Amritsar, 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 compromise is voluntary, without any force, coercion and undue influence and none of the petitioners has 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 between the parties 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 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.79 dated 5.10.2015, registered under Sections 406, 498A, 120B IPC (Section 494 IPC added later on), at Police Station Women, District Amritsar, and all proceedings arising therefrom qua the petitioners.

(DEEPAK SIBAL)
JUDGE

26.4.2022

Ashwani

Speaking/Reasoned	:	Yes/No
Reportable	:	Yes/No