

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 254

CRM-M-7455-2021

Date of decision : 30.05.2022

Ranjit Singh and others

..... Petitioners

VERSUS

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Naveen Sharma, Advocate, for
Mr.Rakesh 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.76 dated 29.08.2019 registered under Sections 323, 342, 498-A, 506 and 34 IPC at Police Station City, Kheri Gandian, District Patiala on the basis of a compromise dated 30.09.2020 (Annexure P-2) entered into between the parties.

On 17.02.2021 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 along with the recorded statements with regard to the compromise as also to inform the number of persons arrayed as accused; whether any of them is proclaimed offender; the stage of trial/proceedings and whether the compromise is genuine, voluntary and without any coercion or undue influence.

As directed, report dated 30.04.2021 from the Judicial Magistrate Ist Class, Rajpura 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; none of them has been declared a proclaimed offender and that the compromise is genuine.

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.76 dated 29.08.2019 registered under Sections 323, 342, 498-A, 506 and 34 IPC at Police Station City, Kheri Gandian, District Patiala and all proceedings arising therefrom qua the petitioners.

30.05.2022
shamsher

[DEEPAK SIBAL]
JUDGE

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