

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

(Sr. No. 121)

CRM-M-5849 of 2020

Date of decision : 09.05.2022

Deepak Kumar and others

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. Mandeep Kumar Dhot, Advocate for the petitioners.

Ms. Gunkirat Kaur, AAG, Punjab.

None for respondents No.2 and 3.

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DEEPAK SIBAL, J. (Oral)

The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.90 dated 19.04.2014 registered under Sections 366 and 120-B IPC (deleted later on) and Sections 498-A, 323 and 506 IPC (added later on) at Police Station City Barnala, district Barnala on the basis of a written compromise dated 28.01.2020 (Annexure P-2).

On 11.02.2020, this Court had directed the parties to appear before the Illaqa Magistrate/Trial Court on 19.03.2020 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 between the parties as also to apprise this Court whether P.O. proceedings are pending against any of the accused.

As directed, report dated 19.03.2020 from the Judicial Magistrate First Class, Barnala 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 and that no proclamation proceedings are pending against the petitioners.

Learned State counsel has also raised 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 out of a matrimonial dispute and 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.90 dated 19.04.2014 registered under Sections 366 and 120-B IPC (deleted later on) and Sections 498-A, 323 and 506 IPC (added later on) at Police Station City Barnala, district Barnala and all proceedings arising therefrom qua the petitioners.

09.05.2022

sunil yadav

**(DEEPAK SIBAL)
JUDGE**

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