

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 259

CRM-M-6049-2020

Date of decision : 12.05.2022

Vineet Tyagi

..... Petitioner

VERSUS

State of U.T., Chandigarh and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: None for the petitioner.

Mr.Anupam Bansal, Addl.P.P., UT, Chandigarh.

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.122 dated 30.12.2016 registered under Sections 406 and 498-A IPC at Women Police Station, Sector-17, Chandigarh on the basis of a compromise entered into between the parties.

On 11.02.2020 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 genuineness of the compromise and also to intimate whether any P.O. proceedings are pending against any of the party.

As directed, report dated 31.03.2021 from the Judicial Magistrate, Ist Class, Chandigarh 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 valid, bonafide, voluntary and genuine and that the accused 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.122 dated 30.12.2016 registered under Sections 406 and 498-A IPC at Women Police Station, Sector-17, Chandigarh and all proceedings arising therefrom qua the petitioner.

12.05.2022
shamsher

[DEEPAK SIBAL]
JUDGE

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