

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 119

CRM-M-8965-2021

Date of decision : 15.03.2022

Tejinder Pal Singh and another

..... Petitioners

VERSUS

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Sushil Jain, Advocate, for the petitioners.
Ms.Gunkirat Kaur, AAG, Punjab.

DEEPAK SIBAL, J. (ORAL)

The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.53 dated 07.09.2020 registered under Sections 406 and 498-A IPC at Police Station Women, Patiala on the basis of a compromise dated 28.01.2021 (Annexure P-2) entered into between the parties.

On 25.02.2021 this Court had directed the parties to appear before the Illaqa 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 between the parties as also to make a report in respect of antecedent behaviour of the criminal activity of the accused and also with regard to total number of accused involved in the case and his/their status of being proclaimed offender/person.

As directed, report dated 12.03.2021 from the Judicial Magistrate Ist Class, Patiala 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 compromise is genuine and voluntarily arrived at with their free consent and without any pressure, coercion, undue influence and inducement from any quarter and that neither the petitioners are proclaimed offenders nor any proclamation proceedings are pending against them.

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 from a matrimonial dispute between the parties and 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.53 dated 07.09.2020 registered under Sections 406 and 498-A IPC at Police Station Women, Patiala and all proceedings arising therefrom qua the petitioners.

15.03.2022
shamsher

[DEEPAK SIBAL]
JUDGE

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