

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

(Sr. No. 117)

CRM-M No. 9480 of 2021

Date of decision : 23.03.2022

Piyush Mittal and others

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. Ruhani Chadha, Advocate for the petitioners.

Ms. Gunkirat Kaur, AAG, Punjab.

Ms. Poorva Gupta, Advocate for respondent No.2.

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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. 48 dated 26.03.2018 registered under Sections 406, 498-A and 120-B IPC at Police Station Mandi Gobindgarh, district Fatehgarh Sahib on the basis of a written compromise (Annexure P-2) between the parties.

On 04.03.2021, this Court had directed the parties to appear before the Illaqa Magistrate/trial Court on 24.03.2021 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 any other proceedings are pending against any of the accused.

As directed, report dated 24.03.2021 from the Sub Divisional Judicial Magistrate, Amloh 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 other 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 is arising 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 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. 48 dated 26.03.2018 registered under Sections 406, 498-A and 120-B IPC at Police Station Mandi Gobindgarh, district Fatehgarh Sahib and all proceedings arising therefrom qua the petitioners.

23.03.2022*sunil yadav***(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No